



**Fry Club JFC
Lesbian, Gay, Bisexual &
Transgender (LGBT+)
Inclusion Policy**



Lesbian, Gay, Bisexual & Transgender (LGBT+) Inclusion Policy

Fry Club JFC - February 2020

Fry Club JFC is committed to an inclusive playing environment that promotes equality and embraces diversity by supporting lesbian, gay, bisexual and transgender (LGBT+) players and coaches

The National LGB&T Partnership published a report in August 2017 on The mental health of young people. This report demonstrated that LGBT+ young people have higher rates of poor mental health than their non-LGBT+ peers. LGBT+ people under 35 are twice as likely to report a mental health problem. These young people have specific support needs in developing and recovering good mental health. Football clubs need to provide a good framework of identification and support for all players in relation to mental health. It is vital that the needs of LGBT+ young people are considered in good mental health initiatives.

In 1989, governments across the world adopted the United Nations Convention on the Rights of the Child (UNCRC), recognising that all children have the right to be treated with dignity and fairness, to be protected, to develop to their full potential and to participate. The convention sets out the civil, political, economic, social and cultural rights that everyone under 18 is entitled to. It states what countries must do to ensure that all children can enjoy their rights, regardless of whom they are or where they are from.

The UN General Assembly adopted the convention in 1989 and it was ratified by the UK in 1991. It is the most widely adopted international human rights treaty and as such provides us with a global values framework that transcends race, culture or religion.

Governments have the lead responsibility for the realisation of children's rights and all adults – including Managers, Coaches, and all associated in sport – have a responsibility to respect and advocate for these rights.

It is crucial that children and young people learn about and understand their rights and know who is responsible for making rights a reality. It is the duty of government, sports clubs and the media to facilitate this.

The convention also confirms that children are active participants so governments and adults must create opportunities for them to play an active role in the realisation of their rights.

Article 2 of the UNCRC states that: "children's rights should be respected and ensured without discrimination of any kind".

However, discrimination and prejudice towards LGBT+ people, combined with a general lack of knowledge about LGBT+ issues still exists. Sport should be an environment where that is challenged and LGBT+ young people feel safe and supported.



The Charter of Rights developed by the Y Services for Young People LGBT+ project included on page 11 is underpinned by the following articles from the UNCRC:

Article 1 (definition of the child)
Everyone under the age of 18 has all the rights in the convention.

Article 2 (non-discrimination)
The convention applies to every child without discrimination, whatever their ethnicity, gender, religion, language, abilities or any other status, whatever they think or say, whatever their family background.

Article 3 (best interests of the child)
The best interests of the child must be a top priority in all decisions and actions that affect children.

Article 6 (life, survival and development)
Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.

Article 12 (respect for the views of the child)
Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously. This right applies at all times, for example during immigration proceedings, housing decisions or the child's day-to-day home life.

Article 13 (freedom of expression)
Every child must be free to express their thoughts and opinions and to access all kinds of information, as long as it is within the law.

Article 14 (freedom of thought, belief and religion)
Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights. Governments must respect the rights and responsibilities of parents to guide their child as they grow up.

Article 15 (freedom of association)
Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

Article 16 (right to privacy)
Every child has the right to privacy. The law should protect the child's private, family and home life, including protecting children from unlawful attacks that harm their reputation.

Article 17 (access to information from the media)
Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand. Governments must help protect children from materials that could harm them.



Article 19 (protection from violence, abuse and neglect)

Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

Article 25 (review of treatment in care)

If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

Article 29 (goals of education)

Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.

Article 34 (sexual exploitation)

Governments must protect children from all forms of sexual abuse and exploitation.

Article 42 (knowledge of rights)

Governments must actively work to make sure children and adults know about the convention.

Article 24 (health and health services)

Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and wellbeing so that children can stay healthy. Richer countries must help poorer countries achieve this.

Article 28 (right to education)

Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights. Richer countries must help poorer countries achieve this.

Article 31 (leisure, play and culture)

Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.

Article 41 (respect for higher national standards)

If a country has laws and standards that go further than the present convention, then the country must keep these laws.



Issues Around Gender Identity Discrimination

The Human Rights Act 1998

The following articles from The Human Rights Act 1998 support the rights and needs of trans people to live their lives in their true gender.

Article 8: right to respect for private life and family life.

Article 10: freedom of expression.

Article 14: the prohibition of discrimination.

The Gender Recognition Act 2004

The Gender Recognition Act 2004 is mainly concerned with the process by which a person can get a Gender Recognition Certificate, and correct their original birth certificate to match their true gender. This can only occur after a person reaches 18 years of age but is something that many younger people may aspire to.

The Equality Act 2010

The Equality Act 2010 ensures legal protection against discrimination (direct or indirect) for everyone under the nine protected characteristics defined in the Act, one of which is gender reassignment (also known as transgender).

Part 6 of the Equality Act 2010 makes it clear that the Act specifically refers to young people.

The Equality Act 2010 (2:1:7) states that: 'A person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex.'

The act applies to employment, education and a range of other areas where discrimination may take place. In order to be protected under the Act, a young person will not necessarily have to be undergoing a medical procedure to change their sex, but they must be taking steps to live in the opposite gender, or be proposing to do so.

Discrimination

The Equality Act 2010 ensures legal protection against discrimination in employment, education, the provision of services and the delivery of public functions, in relation to the nine protected characteristics defined in the Act, one of which is gender reassignment. The legislation lays down that one must not discriminate against a young person because of their transgender status. Discrimination can be direct or indirect. Indirect discrimination occurs when a



provision, criterion or practice applies to everyone but puts a person with a particular protected characteristic at a particular disadvantage, and it can't be justified as a proportionate means of meeting a legitimate aim.

Unlike most of the protected characteristics, such as sex, race and religion, but like disability, this protection works in one direction only – not being transgendered is not a protected characteristic. Teams are therefore free to take special steps to meet the needs of trans players without being accused of discriminating against players who are not trans. There is no legal requirement, as there is for disability, to make reasonable adjustments for trans players, but Teams may take a similar approach to ensure that trans players are properly catered for, and possible steps are described as reasonable adjustments. How this is done in practice may differ between Teams as facilities do vary, but should be worked towards, for the benefit of the Club, the Team and the player.

Toilets And Changing Facilities

Issues around the use of toilets are probably the cause of most discussion and debate around transgender inclusion. It is important that all Teams take a proactive stance regarding this issue, ensuring that all players currently attending training, matches or any Team event feel part of an inclusive community.

Trans players often report that this is one of the most significant aspects of their experience in sport. If there are no proper facilities available, trans players may be vulnerable to unwanted attention, and possible bullying and even assault. Of course, Teams with a supportive, inclusive ethos where diversity is celebrated (such as a No outsiders policy) are places where such negative experiences are less likely.

What's In A Name?

Any solutions will depend on the existing arrangements and facilities in each venue. Few, if any venues are providing toilets and changing facilities that are unisex. This is not an ideal situation. All venues should where possible, have accessible toilets, often designated for disabled members of the community. A simple renaming process can help to extend this well established aspect of sporting inclusion. Unisex accessible toilets or even a simple Changing room or Toilet can all be utilised and can help to:

"...reduce what is often perceived as the stigma of using toilets commonly identified as Disabled toilet ... ensuring Teams and venues respect the dignity and privacy of both trans players and also players with disabilities, whilst both ensuring everyone's safety and protecting their self-respect..."

It's important to note that this is more than just a new label on a toilet door. New labels need to be seen in the context of a whole-Club approach to inclusion and diversity. Over time, the use of these facilities will be unquestioned and the hope is that Teams will continue to develop their physical environments to reflect a diverse and inclusive society.



Issues to consider and manage include:

- ✚ male-to-female sports participants, particularly as puberty develops, may have a physical advantage over other girls
- ✚ physical risk in contact sports can be mitigated. Discussion, where appropriate, with the player and parents/carers can help to set expectations
- ✚ changing facilities will need to be managed with sensitivity, particularly at competitive and representative levels. For instance, when taking part in tournaments or competitions at other Clubs, Fry Club JFC Officials would need to ensure provision has been made for any trans participant. Advance planning is of vital importance in order to prevent any potential distress or loss of dignity
- ✚ female-to-male participation in some sports, particularly contact sports, may not be an issue at 5v5 & 7v7, but may become increasingly so in 9v9 and 11v11, e.g. football. The Football Association has a whole policy dedicated to trans people in football. This document contains the following rule regarding under-18 football:

"...Pursuant to FA Rule C4(A)(xiii) on mixed football, any person playing football in the age ranges under 7 to under 18 may play in a match involving boys and girls, without restriction. There are, therefore, no conditions regarding any individual playing in a match under their reassigned/affirmed gender in these age ranges..."

See: www.thefa.com/football-rules-governance/policies/equality/lgbt-football

Creating A Safe Space

Teams that are able to raise awareness effectively of LGBT+ lives will be Teams that celebrate diversity and have an ethos of openness. Individual children and young people who have questions regarding their sexuality and/or gender are more likely to approach Club Officials with any matters they wish to discuss. This formal and informal dialogue will help to create a safe space.

It is important to remember that players may be reluctant to report discrimination or prejudice because this may imply coming out or being seen as not being able to take a joke. Players will be more willing to report issues if a Team is seen as a safe space. This also applies to all issues around safeguarding.

All Club Officials have a duty of care to all players and this includes issues around confidentiality. Young people must feel assured that anything they say to a Club Official will be dealt with sensitively and appropriately. As with so many other aspects of diversity, training and development is a crucial factor here.

Dealing With Homophobic And Transphobic Bullying

A starting point for all Teams when dealing with individual players in one-to-one support is the relevant policies, such as the anti-bullying policy. Policies should



have key principles that guide the way Club Officials behave and deal with each issue as it arises. Fry Club JFC suggests the following approach when responding to a report of homophobic or transphobic bullying:

- ✚ Be aware of non-verbal communication – body language can be misconstrued.
- ✚ Thank them for reporting the issue at the start of the conversation.
- ✚ Ensure the discussion takes place in a safe space, free from interruptions.
- ✚ Allow the player to talk and to describe what has happened.
- ✚ Before any confidential conversation remind them of your duty of care in regards to safeguarding and child protection (you cannot make promises about not telling anyone if a disclosure is made where you think the pupil is potentially at harm ... You are legally obliged to act and to tell your designated safeguarding lead).
- ✚ Listen to what is being said in a non-judgemental way.
- ✚ Do not assume that the young person is coming out because they are telling you they have been the target of homophobic or transphobic bullying. The pupil may not be gay, bisexual or transgender.
- ✚ Log the incident but also explain that this can be anonymised if they wish.
- ✚ Ask what they would like in support.
- ✚ Give them information about other avenues of support in and outside of the Team/Club, such as counsellors, support groups.
- ✚ Thank them for talking with you (but do not say “confiding in you”).

Supporting Club Officials

Teams with an open ethos, which create a safe space for players, are likely to also create a safe space in which LGBT+ officials are more at ease.

The same considerations apply in supporting Club Officials as they do for players. Club Officials are afforded a duty of care and are entitled to operate in an environment which gives due consideration to their emotional health and wellbeing. LGBT+ Club Officials are also entitled to confidentiality if they choose to disclose matters related to their gender identity and/or sexual orientation.

Like players, Club Officials are afforded protection from discrimination and the starting point of how other Club Officials behave should be evident from the key principles in policies, with wider formal procedures in place to enable Club Officials to address issues of concern where they arise and cannot be dealt with informally.



Fry Club JFC LGBT+ Statement

Fry Club JFC is committed to promoting equality and inclusivity within our club. All players, coaches and supporters will receive equal treatment regardless of their gender identity, marital and civil partnership status, sexual orientation.

Fry Club JFC has a zero-tolerance approach to any member of their club being subjected to harm, threats of harm, bullying and harassment, discrimination, or any inappropriate behaviour or language on or off the field, irrespective of whether it is instigated by a competitor or a member of their own club. In particular, this behaviour is expressly prohibited (but is not limited to) if it is on the grounds of gender expression or gender identity (transphobia), or sexual orientation (homophobia or biphobia).

Fry Club JFC LGBT+ Player Charter Of Rights

1;	A safe space and a support system which we can use at all times whilst representing Fry Club JFC.	
	All Club Officials are trained to understand LGBT+ young people and any issues that they may be having.	;2
3;	Be treated equally in all aspects of Team life and have the same opportunities as every other player.	
	Be ensured that there is no anti-discrimination policy actively enforced within Fry Club JFC.	;4
5;	Be visible; have a media presence and resources available which celebrate LGBT+ diversity and community within the Club.	
	Be addressed politely using our preferred name and pronouns.	;6
7;	Access to gender neutral toilets which aren't isolated from the rest of the Team/Club.	
	Feel safe at Fry Club JFC and to feel like we are not being judged by any other players or Club Officials.	;8

This policy document is created with the help of the Hampshire County Council Document, *Hampshire: A Safe Place To Learn, A Safe Place To Grow; LGBT+ Guidance For Hampshire Schools And Colleges - June 2018.*



Lesbian, Gay, Bisexual & Transgender (LGBT+) Inclusion

As a player, parent/guardian or club official of Fry Club JFC, I confirm that I will be an advocate for LGBT+ inclusion at this club on and off the field. I will abide by the following statements:

- ✚ I will always show respect to everyone involved in the game and to carefully consider the language that I use.
- ✚ I will never engage in abusive, derogatory, bullying or discriminatory behaviour.
- ✚ I will consider carefully how I engage in "banter" and how this may affect others.

I understand that if I do not follow the agreement as stated above that my club may take disciplinary action against me including the following:

- ✚ Apologising to those who I have offended.
- ✚ Receive a formal warning.
- ✚ Be dropped, substituted or suspended from training or attending.
- ✚ Not selected for the team.
- ✚ Be asked to leave the Club.

I will also abide by the Stonewall No Bystanders policy to be signed in conjunction with this statement.



Name (Printed)	Signature	Date