



Angling Trust/Fish Legal

PD19a Equality Diversity and Inclusion Policy

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1. INTRODUCTION AND PURPOSE

1.1. This Angling Trust and Fish Legal Equality Diversity and Inclusion policy (EDI policy) supersedes our previous Equality policy. The latter policy is now withdrawn.

1.2. The Angling Trust/Fish Legal's EDI policy aims to ensure that:

1.2.1. No job applicant, employee, volunteer, participant, official or member is unlawfully discriminated against in any Angling Trust or Fish Legal employment or angling activity. This includes receiving less favourable treatment because of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex and sexual orientation (these are known as 'Protected Characteristics' under the Equality Act 2010).

1.2.2. All staff, volunteers, officials and members are aware of our stated position on matters of Equality, Diversity and Inclusion within angling.

2. SCOPE OF THIS POLICY

2.1. The policy applies to all Angling Trust and Fish Legal employees including contractors and agency workers (regardless of their employment status), volunteers, directors and committee members, officials and members.

2.2. The Angling Trust is recognised by Sport England as the national governing body for angling in England. This policy therefore extends to all aspects of our work including that facilitated by third party contractors, domestic competitions organised by or on behalf of Angling Trust, all England teams and the Talent Pathway, club teams representing England, our members and also any other events held in England where third party organisers adopt this policy.

3. OUR POLICY POSITION

3.1. The Angling Trust and Fish Legal are committed to promoting equality, diversity and inclusion in both employment and in angling generally. Angling Trust and Fish Legal recognise the unique contribution each individual can make, the benefits of equality and diversity within both the workforce and the sport.

3.2. The Angling Trust and Fish Legal will not tolerate any form of direct or indirect discrimination on the grounds of but not limited to disability, age, gender reassignment or identity, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation, responsibility for dependents, political beliefs, trade union activity, socio-economic background, or any other relevant factors.

3.3. In regards to our workforce, whether paid or voluntary:

3.3.1. Angling Trust and Fish Legal are committed to ensuring that all employment policies and practices are non-discriminatory in line with relevant employment legislation and best practice.

3.3.2. Any employee who believes that they have been discriminated against, either directly or indirectly, should follow the Angling Trust/Fish Legal Grievance Procedure, which can be found on SharePoint.

3.3.3. Any employee who believes that others may have been discriminated against, either directly or indirectly, should follow the Angling Trust/Fish Legal Whistle-blowing policy, which can be found on SharePoint.

3.4. In regards to members:

3.4.1. The Angling Trust and Fish Legal are committed to ensuring everyone wanting to be involved in angling is able to do so in a friendly and welcoming environment.

3.4.2. Any member who believes that they have been discriminated against, either directly or indirectly, should follow the Angling Trust/Fish Legal Grievance, Disciplinary and Appeals – Members policy, which can be found on our website. We will review the case and offer assistance where we can within the boundaries of our role as a non-federated membership organisation.

3.5. This policy supports Angling Trust/Fish Legal's aims to encourage the development of a diverse workforce, where employees understand and promote equality, and where equality diversity and inclusion is embedded into every aspect of our work and sport.

4. OUR EDI OBJECTIVES

4.1. The Angling Trust and Fish Legal are committed to ensuring everyone wanting to be involved in angling is able to do so in a friendly and welcoming environment. To ensure this, we will endeavour to implement the following principles.

4.2. Everyone involved in angling should respect the rights of all others and support them in participating in and enjoying fishing.

4.3. All staff, volunteers, officials and members of the Angling Trust and Fish Legal will be treated the same regardless of their gender, gender reassignment, age, disability, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex and sexual orientation.

4.4. Equality will be embedded at all levels of the sport. The majority of our angling competitions and representative teams will be organised as an open class. Some events and teams may be restricted in regards to age limits, disability and/or be female only events.

4.5. It is everyone's responsibility to ensure that equality is embedded and that any discrimination does not go unchallenged.

4.6. Anybody who feels they have been unfairly treated within the scope of this policy should raise a concern via the appropriate AT/FL Grievance procedure.

4.7. Anybody raising a concern or supporting another in relation to a concern should not be treated unfairly.

- 4.8. Positive action is encouraged to address any previous inequalities/barriers.

5. RESPONSIBILITIES OF THE ANGLING TRUST AND FISH LEGAL

5.1. The Angling Trust and Fish Legal recognise their responsibilities to work to ensure that the sport of angling is free from any form of discrimination. We will work to promote these standards and will:

- 5.1.1. Promote the benefits of equality, diversity and inclusion throughout the sport of angling.
- 5.1.2. Promote angling as a sport/pastime that should be open to all.
- 5.1.3. Recognise religious and other cultural events and festivals, both internally and externally, where there is a connection to angling.
- 5.1.4. Deliver programmes that reach into communities that have traditionally not fished.
- 5.1.5. Operate a universal entry system to the majority of our angling competitions that is open to all with the sole exception of a lower age limit of 16 years to protect young anglers. Parents and Coaches of anglers between the ages of 13 and 16 may apply for a Youth Angler Exemption if they meet the relevant criteria.
- 5.1.6. Operate restricted access angling competitions that aid the development and/or continued participation of some classes of anglers. This may include youth and veteran age groups, female only) events, and events for those with disabilities. The lower age limit and the Youth Angler Exemption as detailed in 5.1.5 above would equally apply to female and disability events.
- 5.1.7. Embed fair and open selection processes that ensure those selected to fish for England are chosen on merit based on their angling ability.
- 5.1.8. Work with the international angling federations to ensure the majority of events are universal entry and that specific restricted access events exist to aid the development and/or continued participation of some classes of anglers. This may include youth and veteran age groups, female only events, and events for those with disabilities.
- 5.1.9. Encourage other angling organisations to adopt these standards through this policy or a similar.
- 5.1.10. Adopt good practice standards throughout the Angling Trust and Fish Legal in particular relating to the recruitment, training, management and ongoing support of all employees and volunteers. This will include family friendly policies, opportunities for alternative or flexible working patterns as appropriate and advertising vacancies in ways that reach into the wider community.
- 5.1.11. Work in partnership with all affiliated organisations to implement this policy.
- 5.1.12. Encourage people from all backgrounds to become involved in angling at any level of participation, coaching, management and volunteering.

5.1.13. Hold ourselves and others to account where any instances of exclusion or discrimination occur.

5.2. The Angling Trust and Fish Legal will work to ensure inequality is avoided:

5.2.1. In all recruitment including both training and employment.

5.2.2. In the production of any resources both print and video.

6. RESPONSIBILITIES OF THE INDIVIDUAL

6.1. It is everybody's responsibility to ensure that where necessary, individuals make the Angling Trust or Fish Legal aware of any specific requirements.

6.2. Individuals can be held personally liable as well as, or instead of the organisation for any unlawful discrimination. Individuals who commit serious acts of harassment may be guilty of a criminal offence.

6.3. Individuals should report any concerns to the Head of Delivery or Chief Executive Officer. Staff may also report concerns to their line manager.

7. LEGAL REQUIREMENTS

7.1. The Angling Trust and Fish Legal recognise their legal obligations under and will abide by the requirements of the Equality Act 2010 and any later amendments to such legislation or subsequent equality related legislation that may be relevant to the Angling Trust or Fish Legal.

7.2. It is unlawful to discriminate directly or indirectly in recruitment, employment or in the provision of services because of age, disability, sex, gender reassignment, pregnancy, maternity, race (including colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership.

7.3. The Angling Trust and Fish Legal recognise that unlawful discrimination, which can take the following forms, is unacceptable:

7.3.1. Direct Discrimination: - treating someone less favourably than another person because of a Protected Characteristic.

7.3.2. Indirect Discrimination: an action, rule or policy that applies to everyone but disadvantages someone with a particular Protected Characteristic.

7.3.3. Associative Discrimination: direct discrimination against someone because they associate with another person who possesses a particular Protected Characteristic.

7.3.4. Discrimination by perception: direct discrimination against someone because others think they possess a particular Protected Characteristic.

7.3.5. Discrimination arising from disability: someone is treated unfavourably because of something connected with his or her disability.

7.3.6. **Bullying:** repeated instances of offensive, intimidating, malicious or insulting behaviour, and /or an abuse or misuse of power that is meant to undermine, humiliate or injure the person on the receiving end.

7.3.7. **Harassment:** unwanted or offensive conduct directed at oneself or another person that relate to one or more of the nine ‘protected characteristics’ outlined in point 1.1. of this document.

7.3.8. **Harassment or bullying by a third party:** the company is potentially liable for harassment of their staff by people not employed by them.

7.3.9. **Victimisation:** treating a group or individuals in a detrimental way because they have made or intend to make a complaint or provide evidence in support of another complaint.

7.4. The Angling Trust and Fish Legal regard any form of discrimination, harassment, bullying or victimisation as very serious issues. Angling Trust and Fish Legal staff, officials, members, licensed coaches or volunteers who are found to have been responsible for such action against another person and following investigation and disciplinary, will be dealt with accordingly and in line with the Angling Trust/Fish Legal Grievance, Disciplinary and Appeals policies.

8. MONITORING AND EVALUATION

8.1. The Angling Trust and Fish Legal will regularly monitor and evaluate the success of this policy with at least biennial reviews, which will be submitted to the Angling Trust Board/Fish Legal Committee and relevant sub-committees for approval.

8.2. The Angling Trust and Fish Legal have developed and will maintain a Diversity and Inclusion Action Plan (DIAP) to record agreed actions and progress against the same in embedding this policy across our areas of work.

8.3. Changes in legislation and/or any incidents may lead to an earlier policy review.

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ANNEX 1 - TRANSGENDER & NON-BINARY ANGLERS AND COMPETITION ANGLING POSITION STATEMENT

Introduction

The Angling Trust is committed to promoting equality, diversity and inclusion in both employment and in angling generally. We recognise the unique contribution each individual can make, and the benefits of equality and diversity within both the workforce and the sport.

The Angling Trust wishes to try, as far as is possible, to permit transgender men and women as well as non-binary individuals to compete in domestic angling competition and participate in representative England teams, while balancing this with providing fair competition.

The Angling Trust will not tolerate any form of direct or indirect discrimination on the grounds of disability, age, gender reassignment or identity, marriage or civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation, responsibility for dependents, political beliefs, trade union activity, socio-economic background, or any other relevant factors.

In determining this position statement, the Angling Trust has considered both guidance from a number of sources, including Sport England, the UK's Sports Councils published "Guidance for Transgender Inclusion in Domestic Sport" (2021), and the position of the international angling federations (FIPS and CIPS), and the law as stated in the Equality Act 2010 and the Gender Recognition Act 2004. In particular, the Sport England guidance requires us to consider the following factors:

- Inclusion – the desired outcome
- Fairness – to all competitors
- Safety – of competitors in the competitive environment
- Whether competition angling is a gender-affected sport or not

While this position statement focusses on competitive anglers, the same protections apply to any transgender or non-binary staff, officials, volunteers and other members.

The definitions used within this policy and position statement are as follows:

Trans or transgender person – the term trans or transgender is used to describe those people who, as defined by the Equality Act 2010, share the protected characteristic of gender reassignment and are described as transsexual people under the legislation. The terms transgender man or male or trans man/male are used to describe a female-to male transsexual person and transgender woman or female or trans woman/female to describe a male-to-female transsexual person. Intersex people, androgynous and polygender people, crossdressing, and transvestite people are not included under these terms, nor is sexual orientation included.

Gender reassignment – this is one of the protected characteristics defined in the Equality Act 2010 and is the process of transitioning from one sex to another. This legislation prohibits discrimination against a person who is proposing to undergo, is undergoing or has undergone a process, or part of a process, for reassigning their sex. Although it is often associated with medical treatment, this is not a requirement to be protected by the law.

Non-binary - people may identify as an intermediate or separate third gender, identify with more than one gender, no gender, or have a fluctuating gender identity.

Affirmed gender – this describes the gender that the person has transitioned to as opposed to that which is assigned at birth, their ‘birth gender’.

Gender Recognition Certificate ('GRC') – this is a certificate issued under the Gender Recognition Act 2004 to a person of 18 years or older who has transitioned to their affirmed gender. The certificate grants legal recognition of the affirmed gender. Applying for a GRC is optional. While a GRC may be sought to change the sex marker on a passport, this may also be achieved by way of a letter from a doctor confirming that the person is trans and that the change is likely to be permanent.

Consideration of the Factors

As guided by the UK Sports Councils, the Angling Trust has considered the factors of inclusion, fairness, safety and whether competition angling is a gender-affected sport, and reached the following position:

Inclusion – It is the generally accepted position to aspire to be inclusive. This outcome is supported by the Equality Act 2010, which states it is unlawful to discriminate directly or indirectly against a person based on their sex or gender reassignment. However, it is lawful under the Equality Act 2010 to restrict participation of transgender individuals from sporting competitions where physical strength, stamina or physique are important factors in deciding who wins if that restriction is necessary to make an event fair or safe for everyone.

Fairness – The concern for Angling Trust, and all other NGBs, is to ensure that competition remains fair for all. In this instance, we specifically considered whether born females would be disadvantaged by the inclusion of trans females in female competitions and teams.

Safety – As angling is not a contact sport, where individuals physically interact with another, we do not consider this factor as relevant in our decision making.

Is angling a gender-affected sport? - Guidance received from the UK Sports Councils steers NGBs to consider whether their sport is one that is heavily reliant on the participants physical attributes or whether it is a sport that is more reliant on skill and uses implements. Sports can, of course, rely on a mix.

In determining our position, we recognised that angling relies heavily on the equipment used (which is largely not restricted as it is in many other sports), the choice of tactics by the angler (which may change during the course of the competition), the techniques and skills honed by the individual angler (e.g. the ability to cast accurately or further is not solely down to physical attributes but practiced technique), watercraft, the weather, the nature of the draw for the angling location (the “peg” or “swim”) which is unique to that one angler for the duration of the competition, and the ability of the target fish to move location.

These factors were identified by experienced competition anglers and International England team managers as critical success factors within angling competitions. We also took account of the experiences shared by members of the community who provided examples of where they believed strength, stamina and physical attributes have impacted results to an extent where fairness has been compromised.

As a result, there is evidence that physical strength has the ability to impact fairness within angling competitions. As angling includes multiple diverse disciplines and requirements upon competitors, the means and extent by which strength, stamina or physical attributes manifest themselves and impact fairness is varied. However, this factor was considered to be consistently present across all angling disciplines.

The Angling Trust has also sought guidance from the international federations (CIPS and FIPS) on this matter. CIPS have revised their policy to identify four categories within which they deem a significant strength advantage to be present. Within these categories trans female participants are no longer permitted in the ladies' competitions within those categories, with birth certificates utilised to clarify sex at birth irrespective of their affirmed gender. This replaces their previous policy of recognising an anglers gender based upon their passport or GRC.

We note that this revised policy would mean that a trans male angler would qualify for the ladies' category despite the fact they recognise as male in gender. This would equally apply to a non-binary individual born with a female sex regardless of how they chose to be recognised. Our determined position ensures that both sex and gender are taken into account.

Our Determined Position

Having considered the factors for both inclusion and fairness and in considering the extent to which angling is or is not gender-affected, the view of the Angling Trust is as follows:

- We consider competitive angling has the potential to be sufficiently gender-affected to the extent where the need to be fair overrides the desire to be inclusive.
- As a non-contact sport, the safety concern is not deemed significant within the sport of angling.
- We acknowledge that angling has a huge number of success factors, including technique, watercraft, knowledge, tactics, focus, rig creation, bait or fly application, and adaptability. Angling is also a sport that utilises equipment without the requirement for uniformity. Further, participation does not take place on uniform venues with identical characteristics within any discipline of the sport.
- However, there are elements of all the different angling disciplines where inherent strength, size, stamina or other physical attributes could provide an advantage that needs to be considered in relation to fairness. We therefore feel the need to apply a precautionary principle to ensure that fairness can be maintained in all circumstances.
- Based upon the criteria laid out by Sport England and the Sports Councils, it is the current view of the Angling Trust that when all success factors are considered there is sufficient evidence to deem that the sport of angling has the potential to be severely or overtly gender impacted.
- We do not consider it necessary or appropriate for transgender anglers to undergo blood tests to demonstrate testosterone levels.

Implications for our Domestic Competitions, England teams and Talent Pathway

Angling is a non-contact sport and Angling Trust organises universal (open to all), women's and age related (youth and older age groups) angling competitions. As such, there are no safety concerns for any trans male or female wishing to take part in our competitions, in training or recreational angling.

Accordingly, we will accept (and our volunteer organisers should do the same) people into competitions based on sex at birth, as identified on that person's original birth certificate, irrespective of their affirmed gender.

To clarify:

- Female only events both domestically and internationally (via selection for Team England) are open to participants whose sex at birth is female and whose gender is identified as female on the date of competition.
- Universal events both domestically and internationally (via selection for Team England) are open to all participants regardless of sex or gender. Age limits will apply for some events.
- Transgender women (male-female transition) remain welcome to participate in universal competitions both domestically and internationally. Transgender women are not permitted to compete in female only events.
- Transgender men (female-male transition) remain welcome to participate in universal competitions both domestically and internationally. Transgender men are not permitted to compete in female only events.
- Non-binary individuals remain welcome to compete in universal competitions both domestically and internationally. Non-binary individuals are not permitted to compete in female only events.

Subject to age criteria, all individuals may also participate in related youth or older age group competitions on the same basis. Participants within universal competitions should be permitted to compete as their affirmed gender.

We recognise concerns raised about fairness in women's competitions and England teams. We note the multiple success factors identified by the community within different disciplines of the sport and also note that CIPS have identified four categories which they deem significantly gender impacted. However, in applying this selection policy to all angling disciplines we have applied a precautionary principle. As identified in our consultation, while the advantages of greater strength, physical attributes and stamina may manifest differently within the different angling disciplines, they are present in all. Consequently, although other factors may impact how influential these characteristics are differently from day to day or event to event, it is deemed appropriate to apply this policy to all angling disciplines.

Change of Sex

Where a competition angler who has previously fished for an England team transitions from male to female or vice versa and intends to seek selection to fish for England, they should inform the Angling Trust Head of Competitions.

Therapeutic Use Exemptions

All elite anglers should be aware they may be subject to doping control testing as per the UK Anti-Doping Rules. The use of hormones in most cases contravene the World Anti-Doping Agency Code and therefore any anglers using hormones for the purpose of Gender Reassignment are encouraged to contact UK Anti-Doping to determine whether they are required to apply for a Therapeutic Use Exemption (TUE). More information about TUEs may be found on World Anti-Doping Agency's website.

Review and Board Approval

This policy follows a review which was conducted across a 12-month period and was agreed by the Angling Trust Board. The Board acknowledges that these matters continue to evolve and will remain under review.

Angling is a sport which can be enjoyed by all and has a longstanding heritage, both domestically and internationally, of offering universal categories at National and World Championships. The Board reiterates its determination to ensure The Angling Trust continues to offer opportunities, pathways and events for all anglers to participate in regardless of age, sex, race or orientation.

END