



## **DERBYSHIRE COUNTY NETBALL U15 COUNTY ACADEMY AND U13 SATELLITE ACADEMY: APPEALS PROCESS**

This document sets out the Derbyshire County Netball U15 County Academy and U13 Satellite Academy appeals process and grounds of appeal for all appeals by an Athlete in respect of:

- Failure to follow the Selection Policy with regard to selection for Derbyshire County Netball Programmes as set out in the Selection Policy
- Decisions relating to the selection of Athletes for Derbyshire County Netball Programmes where there is no separate appeals process or review policy relating to the team or training squad in question;
- Decisions by Derbyshire County Netball pursuant to the Selection Policy to de-select or remove an Athlete from a Programme.

### **1. Grounds of Appeal**

- 1.1. An Athlete may appeal against a selection decision falling within one of the categories above only on the grounds that:
  - a. The selection process outlined in the Selection Process section (or de-selection process outlined in the Injury & Replacement section) of the Selection Policy has not been adhered to; or
  - b. The selection (or de-selection) process adopted for that Athlete failed to take into account relevant information which was available at the time, which the relevant Selection Panel did not consider.
- 1.2. The Athlete does not have a right of appeal against any judgment or discretion exercised in the course of making a selection decision, or against the content of the applicable selection criteria.

### **2. How to Appeal**

- 2.1. This appeals Process is commenced when an Athlete affected by a selection decision, submits a formal written appeal ('the notice of Appeal') to the Performance Lead, Debbie Hopkinson at: [debbie@taxpartnership.co.uk](mailto:debbie@taxpartnership.co.uk)
- 2.2. The Notice of Appeal must be submitted within 72 hours of the selection decision being communicated to the athlete.
- 2.3. If the Athlete fails to submit the Notice of Appeal within the time limit set out in this Appeals Process, she will have lost her right of appeal, save in wholly exceptional circumstances which will be judged by the Appeal Panel in their absolute discretion.
- 2.4. The Notice of Appeal must set out full details of the Athlete's ground(s) of appeal and include:
  - a. Details of the decision which the Athlete is appealing;
  - b. Details of the ground(s) of appeal upon which the Athlete relies, including the precise manner in which the Athlete alleges that the selection criteria have not been applied or in which the procedure set out in the applicable Selection Policy has not been followed;
  - c. Any documents or written evidence upon which the Athlete relies in support of her appeal.

These documents must be relevant specifically to the Athlete's grounds of appeal.

- 2.5. Athletes should be aware that appeals are normally conducted by reference to the written Notice of Appeal and supporting documents and that the Athlete (or her authorised representative) will not normally be allowed to attend the meeting of the Appeal Panel in person. The Athlete should therefore ensure that the Notice of Appeal is as comprehensive as possible.

### **3. The Appeal Panel**

- 3.1. The Derbyshire County Netball Performance Lead will appoint the Appeal Panel.

The Appeal Panel will be composed of 3 members, namely:

- Derbyshire County Netball Performance Lead (acting as chair); and
- A Derbyshire County Netball Board representative; and
- An external person with High Performance and Elite Sport knowledge/experience.

The appellant will be notified of the members of the Appeal Panel 24hr before.

- 3.2. In the event that any member of the Appeal Panel has any involvement with, or is related to an appellant or any athlete who might be affected by the outcome of the Appeal, or had any involvement with the selection decision that is the subject of the appeal, or is in any way placed in a position of conflicting interests in respect of the appeal, he or she shall be disqualified from sitting on the Appeal Panel and will be replaced by an alternate who shall be nominated by the Derbyshire County Netball Performance Lead.
- 3.3. Upon receipt of the Notice of Appeal, the Derbyshire County Netball Performance Lead will as soon as reasonably practicable circulate it to all members of the Appeal Panel.
- 3.4. The Chair of the Appeal Panel will convene a meeting to take place as soon as practicable, and in any event within 5 working days of receipt of the Notice of Appeal. At the meeting the Appeal Panel will consider the Notice of Appeal.
- 3.5. The Appeal Panel will investigate the grounds set out in the Notice of Appeal and establish to their reasonable satisfaction whether or not there has been a failure to apply the applicable selection criteria and/or that there has been a failure to adhere to the procedure set out in the applicable Selection Policy.
- 3.6. The Appeal Panel, when considering the Notice of Appeal, shall be entitled to take advice (including legal advice) as they see fit.
- 3.7. The Appeal Panel may:
- (a) Confirm the selection decision under appeal and reject the Appeal; or
  - (b) Quash the selection decision under appeal and remit the matter back to the original decision maker identifying why the appeal has been successful and requesting that a new decision is made within 72 hours;
- 3.8. The decision of the Appeal Panel shall be reached by majority vote and all members shall have one vote each.
- 3.9. The Derbyshire County Netball Performance Lead will in writing inform all parties about the Appeal Panel's decision to either uphold or reject the Appeal as provided for in paragraph via email.
- 3.10. The decision of the Appeal Panel shall be final.