



ENGLAND NETBALL: SELECTION APPEALS PROCESS

- This document sets out England Netball's appeals process and grounds of appeal for all appeals by an Athlete in respect of:
 - Decisions relating to the selection (and non-selection) for an England Netball team or training squad
- Decisions by England Netball pursuant to the Selection Policy to de-select or remove an Athlete from a team or training squad.

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 Policy (Section 5) and Athlete Assessors and Selection Panels sections (Section 6) or de-selection process outlined in the Removal, Injury & Replacement (Section 9) of the Selection Policy has not been adhered to; or
- b. The selection (or de-selection) process adopted for that Athlete either failed to consider relevant information, which was available at the time, or considered information that they have reason to believe was erroneous.
- c. The Athlete has reason to believe that those involved in the decision making were unreasonably biased

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 commences when an Athlete affected by a selection decision, submits a formal written appeal ('the Notice Of Appeal') to:

- For Roses and Futures Roses Programmes and associated Competition Squads - The Chief Executive, England Netball, Sports Park, 3 Oakwood Drive, Loughborough, Leicestershire, LE11 3QF. (Email: Fran.Connolly@englandnetball.co.uk)
- For Roses Academy and associated Competition Squads - The Performance Director, England Netball, Sports Park, 3 Oakwood Drive, Loughborough, Leicestershire, LE11 3QF. (Email: david.parsons@englandnetball.co.uk)

2.2. The Notice of Appeal must be submitted within 72 hours of the selection decision being communicated to the athlete via a formal notification of selection email.

If the Athlete fails to submit the Notice of Appeal within the time limit set out in this Appeals Process, they will have lost the right of appeal, save in wholly exceptional circumstances which will be judged by the Appeal Panel in their absolute discretion.

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

2.5 Athletes can seek the support or advice of the EN Performance Department, the Netball Players' Association or the British Elite Athletes' Association in helping them consider or prepare an appeal.

2.6 Any Notice of Appeal will be shared in full with the Performance Director and, in the case of an appeal against a Roses Academy selection, the Head of Player Pathway, who will be responsible for collating evidence to respond to the points of the appeal.

2.7. In hearing the appeal, where possible the Appeal Panel will seek to discuss the details with the Athlete (or parent/guardian representative if under 18) and, separately, the Performance Director and/or the Head of Player Pathway, and if appropriate, the Selection Panel concerned.

3. The Appeal Panel

3.1. The Chief Executive (for Roses and Future Roses Programmes and associated Competition Squads) or the Performance Director (for Roses Academy Programme and associated Competition Squads) will appoint the Appeal Panel.

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

For Roses and Future Roses Programmes and associated Competition Squads

- An England Netball Executive Team Director (acting as Chair of the Appeal Panel); and
- An England Netball Board representative; and
- An independent person with High Performance and Elite Sport knowledge/experience.

For Roses Academy and associated Competition Squads

- The England Netball Performance Director (acting as Chair of the Appeal Panel); and
- An England Netball Executive Team Director or Senior Manager; and
- An independent person with High Performance and Elite Sport knowledge/experience

The Athlete (subsequently referenced as the Appellant) will be notified of the members of the Appeal Panel no later than 24hr before the appeal meeting.

3.2. The Appellant has the opportunity to raise, in advance of the scheduled meeting, an objection to a Panelist based upon perceived conflicts and the Chair of the Appeal Panel will determine if this is to be upheld.

3.3. 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, they shall be disqualified from sitting on

the Appeal Panel and will be replaced by an alternate who shall be nominated by the Chief Executive or Performance Director of England Netball.

3.4. Upon receipt of the Notice of Appeal, the Chief Executive or Performance Director of England Netball will as soon as reasonably practicable circulate it to all members of the Appeal Panel.

3.5. 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. If necessary, the Appeal Panel may extend / reconvene the hearing in order to obtain further evidence.

3.6. 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.

3.7. The Appeal Panel, when considering the Notice of Appeal, shall be entitled to take advice (including legal advice) as they see fit.

3.8. 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; where it is perceived the Selection Panel were unreasonably biased or had inappropriately managed conflicts of interest, the Appeal Panel may request that a member(s) of the Selection Panel be recused or replaced in order to determine the new decision.

3.9. The decision of the Appeal Panel shall be reached by majority vote and all members shall have one vote each.

3.10. The Chief Executive or Performance Director will inform all parties via email about the Appeal Panel's decision to either uphold or reject the Appeal as provided for in paragraph 3.7, setting out the reasons for the decision within 24 hours of the Panel decision.

4. Referral to the Sports Dispute Resolution Panel

4.1. In the event that the Athlete does not agree with the decision of the Appeal Panel they shall have the right to take the matter to Sports Resolution UK.

4.2. The Athlete and England Netball both agree that the decision of the Sports Dispute Resolution Panel shall be final and binding on both parties.