

### **Deaflympics 2017 Selection Appeals Procedure**

The appeals procedure should be used in the event that an individual or sport feels that there is sufficient and evidential justification to contest an athlete's non-selection, based solely on the clauses within the eligibility criteria (see Deaflympics Selection Policy). Reasons for not being selected could include but are not definite or exhaustive;

- Incorrect diagnosis of hearing loss level
- Unfair judgement regards previous disciplinary action
- Illegitimate fundraising methods used to pay for the cost of competing

Appeals against non-selection can be made by or on behalf of any athlete or sport. Irrespective of who is making the appeal the appeals pro-forma must be completed or the appeal will not be processed upon receipt. If the appeal is made on the behalf of the athlete, the athlete must be notified prior to the submission of the appeal.

The following paragraphs clearly provide the stages of appeal that any individual wishing to contest their non-selection must strictly follow in order for their case to be heard by the UK Deaf Sport Appeals Panel, headed by the Chef De Mission.

#### **Submitting an Appeal**

- A1. Any individual who wishes to appeal regards an athlete or sport non-selection is required to complete the appeals pro-forma (appendix 1) and provide a full explanation of why they wish to contest the Selection Panels decision. In addition, where applicable, individuals who complete the appeals pro-forma must also supply evidence to justify their reasoning and clearly state which eligibility criteria (2:1 Team GB Deaflympics Selection Policy) they are contesting the athlete has met.
- A1.1 Any individual wishing to submit an appeal must do so no later than **two** days from the date that the selections were confirmed. All appeal submissions should be sent to the UK Deaf Sport Appeals Panel; [cdm@ukds.org.uk](mailto:cdm@ukds.org.uk), along with an appeals fee of £100. In the event that the appeal is successful and the individual is later selected, the £100 will be refunded to the individual who lodged the appeal. This fee covers the cost of the administration for the appeals process to be completed.
- A1.2 Appeals that are late, completed incorrectly or do not consist of adequate information as deemed by the UK Deaf Sport Appeals Panel will not be heard.

### **Confirmation of receipt of appeal**

- A2. The UK Deaf Sport Appeals Panel have a duty to respond in writing to the appeal applicant no later than **five** working days of receiving the appeals pro-forma to confirm that they have received the appeal and to provide a date/timescale when the appeal will be heard by the UK Deaf Sport Appeals Panel. In addition, the UK Deaf Sport Appeals Panel must seek written explanation from the sport who did not select the athlete in question.
- A2.1 Any sport that is requested to submit justification why the athlete in question was not selected by the UK Deaf Sport Appeals Panel must do in writing no later than **two** working days of receiving the request. They must use the appeals counter pro-forma (appendix 2) to provide a full explanation, including providing evidence (if applicable), to justify the athletes non-selection using the clauses within the eligibility criteria or any other supporting evidence that is appropriate.

### **Appeals Panel**

- A3 The UK Deaf Sport Appeals Panel will consist of the Chef de Mission, 2 representatives from UKDS Performance Committee and a member of the UKDS Board. A3.1 In the event that any member of the UK Deaf Sport Appeals Panel has any direct involvement with the athlete or has any involvement within the decision not to select the athlete, they will be removed from the panel and replaced by an independent person, who will be nominated by the Chef De Mission.

### **Appeal Hearing**

- A4. Following receipt of all requested information by the given timeframes, as per A2, the UK Deaf Sport Appeals Panel will meet to assess the evidence provided. Should there be an additional requirement for any individual involved within the appeal (either as the appellant or defending Selection Panel); they shall be notified to attend in writing no later than **seven working days** prior to the hearing.
- A4.1 Within **seven working days** before appeal is due to be heard, the Chef De Mission will disclose all of the below information to both the athlete and their NGB;
- A4.1.1. the date and place when the appeal will take place.
- A4.1.2. whether the athlete in question will be required to attend and/or additional supporting witnesses.

A4.1.3 confirmation of what documentation will be considered within the hearing.

### **Appeal Outcome**

A.5 The decision of the appeal will be communicated by the Chef De Mission to the athlete and any other relevant parties, in writing no later than **two** working days after the hearing.

A.5.1 If the decision goes in the favour of the appellant, they will be reimbursed their £100 appeals fee.

A.5.2 If the decision for non-selection remains, the UK Deaf Sport Appeals Panel will retain the £100 appeals fee.

### **Contesting the outcome of the appeal**

A.6 The decision of the UK Deaf Sport Appeals Panel will be final and uncontested unless either of the below can be evidentially proven;

- Proven falsification of documentation in relation to the appeal. I.e. false allegations.
- Substantial error the appeals process being followed as per this documentation, which may have affected the outcome of the appeal.

If either of the above circumstances occurs, the same process of submitting an appeal should be followed, as outlined above (A1). However, the appellant will not be required to attach the £100 application fee and the decision to overturn the initial appeal outcome will be made by the Chef De Mission.

The decision of the Chef De Mission will then be communicated to the athlete and their sport in writing no later than **two** working days after receiving the new evidence.



**Appendix 1: Appeals Pro-forma**

**Deaflympics Selection Appeals Pro-forma**

<b>Date notification of non-selection was received</b>	
<b>Date of submission</b>	
<b>Sport</b>	
<b>Name of athlete the appeal concerns</b>	
<b>Criteria on which the appeal is being made against.</b>	
<b>Justification for why the appeal has been made (continue on a separate sheet if necessary).</b>	
<b>Evidence/Additional Information (continue on a separate sheet if necessary).</b>	

Person making the appeal;

<b>Name</b>		<b>Signature</b>	
<b>Sport</b>		<b>Email/Telephone</b>	



If you are making the appeal on behalf of an athlete, please sign below;

<b>Name</b>		<b>Signature</b>	
<b>Relation to athlete</b>		<b>Email/Telephone</b>	

This form should be e-mailed to the Chef De Mission [cdm@ukds.org.uk](mailto:cdm@ukds.org.uk), no later than 2 days following receipt of confirmation of non-selection. Failure to submit the appeal within this timeframe will result in the appeal being instantly declined upon receipt.



**Appendix 2: Appeals Counter Pro-forma**

**Deaflympics Selection Appeals Counter Pro-forma**

<b>Date of submission</b>	
<b>Name of athlete the appeal concerns</b>	
<b>Criteria on which the non-selection was decided.</b>	
<b>Justification for why non-selection was made (continue on a separate sheet if necessary).</b>	
<b>Evidence/Additional Information (continue on a separate sheet if necessary).</b>	

Person making the appeal;

<b>Name</b>		<b>Signature</b>	
<b>Sport</b>		<b>Email/Telephone</b>	

If you are making the appeal on behalf of an athlete, please sign below;

<b>Name</b>		<b>Signature</b>	
<b>Relation to athlete</b>		<b>Email/Telephone</b>	



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