

British Ski and Snowboard Appeal Process Against Athlete Selection Decisions

This document sets out British Ski and Snowboard's (BSS) Appeal Process for all disciplines, in respect of: squad selection decisions; all decisions to select an athlete for a World Cup/World Championships or other major event; and any decision deselect or remove an athlete from a team or 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) there has been a failure to apply the applicable selection criteria properly; and/or that
 - (b) there has been a failure to adhere to the procedure set out in the applicable Selection Policy.
- 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 a previously published set of applicable selection criteria.

2. How to Appeal

- 2.1. An Appeal Process is commenced when an athlete impacted by a selection decision, or an athlete's authorised representative, makes an appeal in writing, ('the Notice of Appeal') to the Chair of Selectors by email to bss@teambss.org within the following timeframes:
 - within 24 hours of Major Event selection announcements, or
 - within 5 days of BSS Squad selection announcements
- 2.2. 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 manner in which the athlete alleges that the selection criteria have not been applied and/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. Only documents relevant to the athlete's grounds of appeal may be submitted.
- 2.3. If the athlete or athlete's authorised representative fails to submit the Notice of Appeal within the time limit set out in this Appeal Process, the athlete will have lost their right of appeal.
- 2.4. All appeals must be accompanied by a fee of £250 which will be refunded if the appeal is upheld.
- 2.5. The Appeal will be considered firstly by the original selection committee, who will explain their reasons for the decision to the Athlete or the Athlete's authorised representative. If the Athlete or authorised representative is not satisfied with the process or the outcome of the selection committee's final decision, then the Athlete or authorised representative may opt to refer the matter to an Appeal Panel, based on the same grounds of appeal and Notice of Appeal.

3. The Appeal Panel

- 3.1 BSS will nominate an Appeal Panel made up of at least three people, none of whom sat on the original selection committee, and none of whom have any conflicts of interest in respect of the appeal. One of the panel members will be appointed as Chair.
- 3.2 Once appointed, the Appeal Panel will receive the Notice of Appeal and supporting information as soon as reasonably possible.
- 3.3 The Chair of the Appeal Panel will convene a meeting to take place as soon as practical, and in any event, within 5 working days of receipt of the Notice of Appeal, at which the Appeal Panel will consider the Notice of Appeal.
- 3.4 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.
- 3.5 In cases of appeal against non-selection for a Squad, all appellants should be aware that it is not the task of the Appeal Panel to substitute its selection views for those of the original committee. It is asked only to determine whether, on all the facts available before them, the original selection committee made a reasonable and fair decision applying the currently applicable Selection Policies.
- 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 outcomes available to the Appeal Panel are:
 - (a) Confirm the selection decision under appeal and reject the appeal; or
 - (b) Withdraw the selection decision under appeal and remit the matter back to the original decision maker identifying the errors they have made in the conduct of the selection process and requesting that a new decision is made within 72 hours; or
 - (c) Withdraw the selection decision under appeal and confirm the selection of the athlete.
- 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 Chair of Selectors will in writing inform all parties of the Appeal Panel's decision to either confirm or withdraw the selection decision under Appeal in line with paragraph 3.7 above.
- 3.10 The decision of the Appeal Panel shall be final.
- 3.11 If the appeal is upheld the fee will be refunded in full.

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 he/she shall have the right to take the matter to Sports Resolution UK.
- 4.2. In good faith both parties will undertake to execute any decision of the Sports Resolution Dispute Panel.