ICE HOCKEY UK

SELECTION APPEAL POLICY

Approved 10 January 2024

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## Purpose

* 1. The purpose of this is document is to set out Ice Hockey UK’s (IHUK) Selection Appeal Policy for all appeals by players in respect of:
		1. Decisions relating to the selection and non-selection for all Ice Hockey UK/GB competition squads.
		2. Decisions to de-select or remove a player from any GB competition squad.
	2. This Selection Appeal Policy should be read in conjunction with the relevant Selection Policy.
	3. Due to the time sensitive nature of selection and appeals in advance of competitions and the potential impact on squad dynamics, player preparation and team success, the appeal process is intended to deal with each appeal fairly, thoroughly and as timeously as possible.
	4. Ice Hockey UK shall be entitled to amend the timescales within this Policy expediently when this is required for the benefit of the whole team performance.
	5. The timelines for the appeal process are detailed within Section 4 below.

## Definitions

* 1. The following terms shall have the meanings as set out below:

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| **Appellant** | The player making an appeal. |
| **Appeal Process** | The process a player should follow to make a selection appeal as set out in Section 4 of this Selection Appeal Policy. |
| **Notice of Appeal** | The formal written submission from a player, to appeal a selection decision. This will contain their case for appeal, together with their evidence and must be submitted within three days of the formal notification of selection. |
| **Parties** | Those people involved in the original selection decision (The Selection Panel) and the player making the appeal (The Appellant). |
| **Response** | The written response from the Selection Panel to the Notice of Appeal submitted by the player, which will be considered by the Selection Appeal Panel and shared with the Appellant. |
| **Reviewed Decision** | The final decision of the Selection Panel, which is taken if the Selection Appeal is upheld and the Selection Panel are required to review their decision. |
| **Selection Appeal Panel** | The panel of three individuals appointed by the CEO and delegated authority to manage the Selection Appeal Process in accordance with this policy. |
| **Selection Criteria** | The method used by selectors to determine the selection of players as set out in the Selection Policy |
| **Selection Panel** | The panel of individuals appointed by the Governance and Risk Committee of IHUK and delegated authority to manage the selection process. |
| **Selection Policy** | The published Selection Policy for each IHUK GB Team as approved by IHUK. |
| **Working Days** | Working days are Monday to Friday, excluding bank holidays. |

## Right of Appeal

* 1. A player may appeal against a selection decision, on the grounds set out below:
		1. The Selection Policy has not been adhered to, other than for minor or non-consequential deviations; or
		2. The selection or de-selection process adopted for that player either failed to consider relevant information which was available at the time, or considered data that the appellant has reason to believe was erroneous.
	2. A player does not have a right of appeal against the content of the Selection Criteria.
	3. A player does not have a right of appeal against any judgment or discretion exercised by the Selection Panel, in the course of making a selection decision.
	4. Players are reminded that selection decisions are based on multiple factors and those involved in the selection decision have discretion to apply the Selection Policy in a manner which best contributes to achieving the stated objectives for the team.
	5. Given the short timescales and the need for certainty for the benefit of all players and the selected team, there is no further right of appeal to other bodies or courts, beyond the Appeal Process outlined below in section 4.

## How to Appeal - The Appeal Process

### Pre-Appeal Discussion

* 1. A pre-appeal discussion is the first required stage in the Appeal Process.
	2. The player and/or legal guardian if the player is under 18, should contact the relevant team head Coach or assistant coach within two Working Days of the formal notification being received and request feedback on their selection decision, why they were not selected and how they need to develop to secure selection in the future.

* 1. If following this feedback, the player still feels they have grounds to appeal the decision, the Appeal Process set out below should be followed. The timelines are also summarised within Appendix 1 - Appeal Policy Timelines.
	2. The costs of administering the appeal will generally be met by IHUK unless the Appeal Panel directs otherwise.

### The Appeal Process

* 1. The Appeal Process is commenced when a player (The Appellant) submits a formal written appeal (the Notice of Appeal) to the Chief Executive of Ice Hockey UK by email: henry.staelens@icehockeyuk.co.uk
	2. The Notice of Appeal must be submitted within three Working Days of the selection decision being communicated to the player via a formal notification as set out in the Selection Policy.
	3. If the Appellant fails to submit the Notice of Appeal within the time limit set out in this Appeal Process, they will have lost their right of appeal, save in wholly exceptional circumstances which will be judged by the CEO and the Chair of the Appeal Panel in their absolute discretion.
	4. The Notice of Appeal must set out full details of the Appellant’s ground(s) of appeal and include:
		1. Details of the decision which the Appellant is appealing;
		2. Details of the ground(s) of appeal upon which the Appellant relies, including the precise manner in which the Appellant 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;
		3. Supporting documents or written evidence upon which the Appellant relies in support of their appeal.
	5. These documents must be relevant specifically to the Appellant’s grounds of appeal.
	6. Within one Working Day, the Chief Executive will review the Notice of Appeal with the Chair of the Appeal Panel (See Section 5 below) and determine if there are valid grounds for appeal. The appeal must meet one of the two criteria for appeal for it to be considered. Their decision on this matter will be final.
	7. If the appeal is considered valid, the details of the Notice of Appeal will be sent to the Selection Panel who will be invited to consider this evidence.
	8. The Selection Panel will have two Working Days from receiving this information to review the Notice of Appeal and make their response (The Response) in writing.
	9. The Response, together with the Notice of Appeal will be shared with Selection Appeal Panel. The Response will also be shared with the Appellant.

### The Selection Appeal Panel

* 1. The Chief Executive will appoint the Selection Appeal Panel. The Selection Appeal Panel will be composed of 3 members;
* The GB Performance Committee Chair (acting as chair for the Appeal Panel)
* A legally qualified person who is independent of IHUK
* A person with performance sport knowledge/experience who is independent of IHUK.
	1. No member of the Appeal Panel may have had any involvement in the initial and related Selection Process.

### The Appeal Panel Process

* 1. The Appellant will be notified of the members of the Appeal Panel within two Working Days of the Notice of Appeal being received.
	2. In the event that any member of the Appeal Panel has any involvement with or is related to an appellant or any player who might be affected by the outcome 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 CEO of Ice Hockey UK.
	3. The Appellant may challenge the composition of the Appeal Panel by submitting written objections within one Working Day of being informed of the members of the Appeal Panel. The Chair of the Appeal Panel in their absolute discretion will determine whether a change is required and they may determine the substitute member.
	4. The Chair of the Appeal Panel will convene a meeting to take place as soon as practicable, and in any event within 11 working days of receipt of the Notice of Appeal.
	5. The Appeal Panel will consider the grounds set out in the Notice of Appeal and the Response and establish to their reasonable satisfaction, whether or not there has been a failure to apply the applicable selection criteria and/or there has been a failure to adhere to the procedure set out in the applicable Selection Policy.
	6. The Appeal Panel, when considering the Notice of Appeal, shall be entitled to take advice (including legal advice) as they see fit.
	7. The decision of the Appeal Panel shall be reached by majority vote and all members shall have one vote each. The members of the Appeal Panel may not abstain their vote.
	8. The Appeal Panel in reaching their decision may:
		1. Confirm the selection decision under appeal and reject the appeal; or
		2. Support the appeal and remit the matter back to the Selection Panel identifying why the appeal has been successful and requesting that the decision is reviewed within three Working Days (The Reviewed Decision).
	9. The Chief Executive will share the decision of the Appeal Panel with each of the parties via email.
	10. If the appeal has been supported, the Selection Panel will review their decision within three Working Days and this Reviewed Decision of the Selection Panel shall be final. This will be communicated to the Appellant within one Working Day.

## Confidentiality of the Proceedings and Publication of Decision

* 1. Unless the Parties mutually agree to waive the right, all Parties are under an obligation of confidentiality in respect of this Policy except for reasonable disclosure to family members and/or a trusted advisor in the case of players.
	2. Save as permitted under this Policy, neither the Appellant nor IHUK will make any public statement or disclosure of the contents of any correspondence concerning any of the Parties during the course of any appeal heard under this Policy.
	3. Without prejudice to the above, Ice Hockey UK shall be entitled to publish the outcome of the Appeal in such a manner and extent as is necessary to inform all properly interested and affected parties of the outcome of the Appeal and its implications.

## Minor and Non-Consequential Breaches of this Policy

* 1. A deviation from any requirement of this Policy shall not invalidate the process or the decision of the Appeal Panel, unless there is a clear and significant risk that the deviation has affected the decision of the Appeal Panel.

## Appendix 1 - Appeal Policy Timelines

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| **Action** | **Timeline** (The timelines below are calculated from the date of the formal notice of selection/non selection being received by players) |
| Formal notice of selection/non selection received by players. | Day 0 |
| Informal appeal process. | Within 2 Working Days. |
| Notice of Appeal is submitted by player (The Appellant). | Within 3 Working Days. |
| The CEO and Chair of the Appeal Panel determine if the Appeal is valid. | Within 4 Working Days. |
| The Appellant receives notice of the members of the Appeal Panel and has a right of veto. | Within 5 Working days. |
| If the Appeal is considered valid, the Selection Panel will receive and review the Notice of Appeal.  | Within 7 Working Days. |
| The Selection Panel makes their response (The Response) in writing to the CEO. The Response is shared with the Appellant. | Within 8 Working Days. |
| The Notice of Appeal and Response is shared with the Appeal Panel members. | Within 9 Working Days. |
| The Appeal Panel meet to determine their decision.  | Within 11 Working Days. |
| The CEO will communicate the decision to the Appellant and the Selection Panel. | Within 12 Working Days. |
| If the Appeal is upheld the Selection Panel review and advise of their Reviewed Decision. | Within 15 Working days. |