



RYA Scotland Performance Programmes Appeals Policy

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1 Purpose

1.1 This policy document sets out the RYA Scotland Performance Appeals Policy for:

1.1.1 Sailor event selection or deselection following:

- Any event that specifically refers to the RYA Scotland Selection Appeals Policy in the notice of race or notice of selection.

1.1.2 Sailor selection to RYA Scotland Teams.

This policy shall not apply to exclusion from squads or events or termination of athlete agreements or termination of participation agreements where such exclusion or termination is for disciplinary reasons. (Such exclusions and terminations shall be governed by the RYA Scotland Disciplinary Procedure).

2. Process

2.1 Notice of intention to appeal should be submitted and addressed to the RYA Scotland High Performance Manager via admin@ryascotland.org.uk as soon as reasonably practical and in any event within 7 days of the selection or deselection being announced. The appeal shall be submitted in full within 14 days of the selection or deselection being announced.

2.2 The appeal shall take the form of a written statement from the prospective appellant detailing all relevant reasons.

2.3 The selectors will be invited to comment on the prospective appellant's written statement.

2.4 The validity of the appeal will be determined as soon as reasonably practicable, as follows:

2.4.1 Initial scrutiny of an appeal shall be conducted by the Chairman of the Performance Committee and will nominate two appropriate deputies to scrutinise the appeal. The Chairman and their deputies (shall be known for this purpose as the "Appeal Scrutineers") shall be entitled, if they so request, to be assisted by a lawyer. The purpose of the scrutiny of an appeal shall be to decide whether the written statement from the prospective appellant identifies valid grounds for appeal.

2.4.2 The grounds for appeal are limited to allegations of:

- Failure to follow the applicable selection policy
- Failure to take into account relevant considerations or taking into account irrelevant considerations
- Bias
- Decisions made in bad faith, dishonestly and/or in a perverse manner

2.4.3 The criteria for appeal may not include:

- any alleged error of judgement of the selectors
- where relevant, any alleged error of judgement of the RYA Sports Science & Medicine Team with regard to "fitness to race" assessments
- errors in the published selection criteria

2.4.4 Should the Appeal Scrutineer determine that the written statement from the prospective appellant identifies no potential grounds for appeal, the Appeal Scrutineer shall dismiss the appeal and the selection will stand.

2.4.5 Should the Appeal Scrutineer determine that the written statement from the prospective appellant identifies potential grounds for appeal, the Appeal Scrutineer shall refer the matter to the appropriate appeal panel as set out below.

3. Squad or Team Selection/De-selection

3.1 Should the board determine that squad or team selection appeal has potential grounds for appeal, the appeal shall be considered as follows:

3.1.1.1 The appeal panel shall be a panel of volunteers appointed by the RYA Scotland Management Committee.

3.1.1.2 The appeal will be dealt with by written submissions only, without the opportunity for personal representation

4. Outcome

4.1 Should the appeal panel determine that the appeal is unsuccessful, the selection will stand and no reasons shall be published.

4.2 Should the appeal panel determine that the appeal is successful, the appeal panel shall set the selection decision aside and remit it to the selectors for further consideration.

4.3 Until the outcome of the appeal is decided, the RYA will refrain from publishing the selection further, will continue to support the preparation of the selected sailor(s), but will not support preparation of the appellant.

4.4 Decisions by an appeal panel shall be final.