

UK ATHLETICS LIMITED
Appeal Procedures for Coaches

Adopted 1st December 2012

1. Scope

- 1.1 These Procedures and the right to an appeal process apply to coaches who hold a current licence from UK Athletics ("UKA") under the Coach Licensing Scheme.
- 1.2 These Procedures govern the conduct of all appeals by a coach against a decision by UKA either to withdraw the coach licence for any period of time or permanently, to impose restrictions on it, or to reduce the level at which a coach is qualified ("the Decision").

In these Conditions, except where the context otherwise requires, words denoting the singular include the plural and vice versa and words denoting any gender include all genders.

2. Investigation

In reaching the Decision UKA shall conduct such investigations or reviews as it thinks appropriate in relation to the behaviour of any coach. UKA may interview any person it thinks fit during any such review and investigation. A coach being investigated or being notified that UKA is reviewing the holding of a licence by that coach shall give UKA full co-operation and the Procedures set out below shall apply.

3. Procedure

- 3.1 A coach who wishes to appeal the Decision ("the Appeal") should be aware of the importance of the time limits contained within these Procedures which shall be strictly enforced.
- 3.2 No later than seven days from the date of the Decision UKA shall notify the coach of the Decision (referred to in these Procedures as "the Notification"). The Notification shall contain the following information:
- (a) the reasons for and the effect of the Decision;

- (b) the date the Decision was made;
- (c) the date the Decision takes effect; and
- (d) a Notice of Appeal and a copy of these Procedures.

- 3.3 Any coach who wishes to appeal a Decision must serve on UKA a Notice of Appeal and pay a non-refundable appeal fee of £100 ("the Appeal Fee") within 14 days of receipt of the Notification. If either the Notice of Appeal is not served or the Appeal Fee is not paid within 14 days the Appeal shall not be considered unless, in the sole opinion of UKA, having reviewed written reasons from the coach, it was not reasonably practical to do so within the time limit.
- 3.4 Following receipt of the Notice of Appeal and the Appeal Fee UKA shall forthwith at its sole discretion appoint an Appeal Committee in accordance with Rules 3.5 to 3.7 below and shall notify the coach of the composition of the Appeal Committee no later than five days from receipt by UKA of the Notice of Appeal.
- 3.5 The Appeal Committee shall comprise three members, one of whom shall be designated by UKA as Chairman. The Appeal Committee shall have the powers set out in Rule 4 below.
- 3.6 In determining the composition of the Appeal Committee, UKA undertakes to ensure that the Appeal will be conducted fairly and impartially. The Appeal Committee shall not include individuals with any connection to the coach or the matters being considered but, for the avoidance of doubt, the Appeal Committee may comprise individuals with a connection to UKA so long as they are independent.
- 3.7 Should a member of the Appeal Committee become unable to hear the Appeal following the appointment of the Appeal Committee, for whatever reason, UKA shall appoint a replacement member.
- 3.8 A coach may object to the composition of the Appeal Committee by notifying UKA of the objection and setting out the reasons for such the objection ("an Objection") no later than five days from the date of receipt of notice of the composition of the Appeal Committee in Rule 3.4.

3.9 UKA shall, within two days from the date of receipt of an Objection, notify the coach that either:

- (a) the composition of the Appeal Committee has changed (in which case UKA shall provide details of the new Appeal Committee); or
- (b) the composition of the Appeal Committee has not changed (in which case UKA shall give reasons why it has not accepted the coach's Objection).

The decision by UKA on the composition of the Appeal Committee under this Rule shall be final.

3.10 Within seven days from the date of receipt by UKA of the Notice of Appeal or within seven days from the date UKA responds to the Objection under Rule 3.8 (as applicable), the Chairman of the Appeal Committee shall give such directions (to both the coach and UKA) as are appropriate for consideration of the matter, including in particular:

- (a) the date and place at which the Appeal Committee will meet to determine the Appeal ("the Appeal Meeting"), provided that the Appeal shall not be heard later than 21 days from the date of the receipt of the Notice of Appeal by UKA or within seven days from the date UKA responds to any Objection under Rule 3.8 (as applicable);
- (b) whether the Appeal Meeting will proceed by way of written submissions or an oral hearing; and
- (c) whether the parties should be required to submit statements of their evidence and/or written submissions prior to the Appeal Meeting and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.

3.11 The Appeal Committee shall meet on the date fixed by the Chairman and shall, no later than two weeks after hearing the Appeal Meeting, inform the coach and UKA of its decision together with written reasons for its decision. The decision of the Appeal Committee shall be final and binding.

4. Powers of the Appeal Committee

- 4.1 The Appeal Committee may at its sole discretion disregard any failure by a party to adhere to these Procedures and may give such further directions as may be appropriate.
- 4.2 Prior to and at the Appeal Meeting the Chairman may give such directions, whether or not made at the request of the parties, for the proper conduct of the Appeal as he or she deems may be reasonably necessary for the fair conduct of the Appeal, including changes to these Procedures.
- 4.3 The Appeal Committee has the power to uphold or dismiss the Decision and, where dismissing the Decision, to:
- (a) impose restrictions on the coach licence; or
 - (b) reduce the level at which the coach is licensed to coach; or
 - (c) withdraw the coach's coach licence for such period as it thinks fit, including permanently, and, where it considers it appropriate, to impose conditions to be met before the coach re-applies for his licence; or
 - (d) to make such other recommendations to UKA as the Appeals Committee thinks fit.

5. Amendment

UKA reserves the right to amend these Procedures at their sole discretion.

6. Correspondence

- 6.1 Any notification, correspondence or any other document submitted under these Procedures shall be sent in writing by first class post or recorded delivery (or airmail if outside the UK) and such documents shall be deemed to have been received by the intended recipient 48 hours (or if by airmail four working days) after posting.

6.2 All correspondence addressed to UKA shall be sent to:

David Brown CBE

Welfare and Compliance

UK Athletics Limited

Athletics House

Alexander Stadium

Walsall Road, Perry Barr

Birmingham

B42 2LR