



UK Athletics Fast Appeals Procedures – 2024 to 2028

Note to athletes from the British Elite Athletes Association and the UK Athletics Athletes Commission:

The British Elite Athletes Association (BEAA) and UK Athletics Athletes Commission (UKA AC) provide independent, confidential advice and support with the selection process, disputes and appeals. The BEAA offers specific support to World Class Programme athletes. The UKA AC support is provided to all athletes.

Advice and guidance are always balanced and independent to athletes and if it feels there are no grounds for appeal, it will say so. The BEAA and UKA AC offers pastoral and emotional support, throughout any process. Where appropriate, the BEAA will refer athletes to Sport Resolutions to request pro-bono legal advice if appropriate.

BEAA Contact: support@britisheliteathletes.org or via live web chat:
www.britisheliteathletes.org

UKA AC Contact: athletescommission@britishathletics.org.uk or via the website:
www.ukathletescommission.co.uk

INTRODUCTION

1. This document sets out UK Athletics' Selection Appeals Procedure (the "**Procedure**") applying to international team selection decisions for the following competitions (unless UK Athletics notifies athletes otherwise). The Procedure applies to Olympic or Paralympic nomination decisions as if each reference to the "selection" herein were replaced with "nomination".
 - IOC Olympic Games
 - IPC Paralympic Games
 - World Athletics Championships
 - World Para Athletics Championships
 - World Athletics Indoor Championships
 - European Athletics Championships
2. International team selections will take place in accordance with the applicable policies (each referred to as a "**Selection Policy**") as published and updated on the UK Athletics website (<https://www.uka.org.uk/performance/>). Any athlete ("**Appellant Athlete**") wishing to lodge an appeal under this Procedure must be familiar with the detailed provisions of the Selection Policy for the relevant competition.
3. This Procedure does not apply to:
 - a. Selection decisions relating to membership of the UK Athletics World Class Programme; or
 - b. Competitions not listed in paragraph 1 above.
4. This Procedure is intended to be an extremely accelerated one to enable any selection appeals to be resolved as quickly as is reasonably possible, in order to minimise any potential "knock on" effect to athlete preparation and ensure compliance with competition entry deadlines. Both with regard to the Appellant Athlete and any athlete at risk of being deselected or adversely affected by the appeal (a "**Third Party**").



5. This Procedure is the only applicable appeals procedure and forms the entire agreement between each athlete (Appellant and Third Party) and UK Athletics (together, the “**Parties**”) as to how selection decisions can be challenged.
6. The Parties agree to submit any dispute, concerning any matter connected with or arising out of selection issues, to binding arbitration in accordance with the provisions of this Procedure. The Parties agree that they will not commence, continue or maintain any legal challenge to any matter falling under the jurisdiction of this Procedure, or any decision made under this Procedure, before any court of law or other dispute resolution body. The Parties will treat all decisions under this Procedure as final and binding upon them.
7. The Parties agree that this Procedure is to be treated as an arbitration procedure under Part 1 of the Arbitration Act 1996 (the “Act”) and the provisions of paragraph 6 above amount to a binding arbitration agreement for the purposes of section 6 of the Act. Sections 44, 45 and 69 of the Act shall not apply to any proceedings under this Procedure. The seat of the Arbitration shall be England and the Procedure shall be governed by English law.

PARTIES

8. This Procedure is binding on UK Athletics and on each athlete who is seeking selection to the Great Britain and Northern Ireland Team for the competitions listed in paragraph 1.

TIMELINE

9. Each Selection Policy will set out a timeline of dates and times for the procedural conduct of appeals (a “**Relevant Timeline**”). The Relevant Timeline will vary for each competition depending on the date of the selection meeting and the deadline for entries. It is the responsibility of the athletes to check the Relevant Timeline in each Selection Policy and comply with it.

NOTIFICATION OF SELECTION

10. Each athlete who has been selected will be notified by the date and time set out in the Relevant Timeline (“**Notification**”). The Notification will be sent by email or the athlete will be informed by phone. If an athlete has not been notified of their selection by the time stated in the Relevant Timeline, they have not been selected. There is no obligation on UK Athletics to notify athletes of their non-selection.
11. It is the responsibility of athletes to:
 - a. Check the Relevant Timeline as to when they will receive Notification of selection
 - b. If they do not receive a Notification, then to comply with the Relevant Timeline if they wish to appeal their non-selection. Athletes should note the Grounds for Appeal described in paragraph 15 before starting an appeals process
 - c. Ensure UK Athletics has their correct email address

REQUEST FOR NOTES

12. Any athlete considered for selection may request copies of the notes of the selection meeting which relate to their non-selection. Requests for notes must be sent to appeals@britishathletics.org.uk within the deadline set in the Relevant Timeline.
13. In relation to reasonable requests for notes submitted in accordance with this Procedure, UK Athletics will supply the notes requested within the deadline set in the Relevant Timeline.
14. Athletes who have requested notes of the selection meeting relating to their non-selection are:



- a. Not deemed to have appealed their non-selection
- b. Are not obliged to appeal their non-selection. Appeals must be submitted in accordance with paragraphs 15-25 below.

GROUND OF APPEAL

- 15. The sole grounds of appeal against the decision of any Selection Panel to which the procedure applies will be that:
 - a. There has been a failure to follow the applicable Selection Policy
 - b. The Selection Panel (or any member of it involved in making the relevant selection decision) has shown actual bias when making the decision
 - c. The Selection Panel reached a decision on the basis of an error of fact
 - d. The decision is one that no reasonable decision maker could ever have reached
- 16. The right to appeal a selection decision is provided on these limited grounds only and must not be seen as an opportunity to dispute the expert opinion of the selection panel where they have followed the proper procedure and selection criteria stated in the Selection Policy. In reaching their decision the selection panel are acting as experts and athletes agree that in so doing the selection panel exercises judgement and discretion which are not in themselves capable of challenge. Athletes should therefore consider carefully whether any of the grounds of appeal at paragraph 15 exists before submitting a Notice of Appeal.
- 17. There are no appeals allowed against the content of the published Selection Policy.

HOW TO APPEAL

- 18. In relation to their non-selection for a competition to which this Procedure applies, an Appellant Athlete wishing to appeal their non-selection must submit a formal written appeal ("**Notice of Appeal**") to appeals@britishathletics.org.uk within the deadline set in the Relevant Timeline.
- 19. Athletes wishing to commence an appeal should be aware there is a £250 administration fee due upon Notice of Appeal. The fee will be refunded if the appeal is upheld. The fee must be paid before or at the same time as the Notice of Appeal, as per the Relevant Timeline.
- 20. The Notice of Appeal will not be valid unless the athlete provides confirmation of payment of the administration fee before or at the same time as the Notice of Appeal.
- 21. Payment details are outlined below and in the Selection Policy. Transfers must be referenced [PAD1094 – ATHLETE INITIALS].

Bank Details
Sort Code: 30-64-10
Account No: 31040560
Account Name: UK Athletics Ltd
- 22. If the Appellant Athlete fails to submit the Notice of Appeal and administration fee within the deadline set out in the Relevant Timeline, they will automatically lose the right of appeal under this Procedure, save in wholly exceptional circumstances which will be determined by the Appeal Panel in their absolute discretion.
- 23. The Notice of Appeal must set out the full details of the Appellant Athlete's ground(s) of appeal and include:



- a. An email address for correspondence
 - b. Details of any representative
 - c. Details of the decision which the athlete is appealing
 - d. Details of the ground(s) of appeal upon which the athlete relies, including the precise manner in which the Appellant Athlete alleges that such ground(s) apply
 - e. Any documents or written evidence upon which the Appellant Athlete relies in support of their appeal
 - f. Athlete provision of evidence of transaction confirmation of administration fee
24. Any Notice of Appeal that does not credibly set out a Ground of Appeal should be dismissed by the Appeal Panel.
25. UK Athletics shall promptly provide the Notice of Appeal and any other relevant documents to the Appeal Panel.

UK ATHLETICS RESPONSE

26. UK Athletics may make submissions to the Appeal Panel in response to the Notice of Appeal (“**UKA Response**”). The UKA Response must be submitted to the Appeal Panel within the deadline in the Relevant Timeline save in wholly exceptional circumstances which may include the number of appeals received and which will be determined by the Appeal Panel in their absolute discretion.

APPEAL PANEL

27. UK Athletics shall appoint 3 persons to the Appeal Panel, one of whom shall be nominated by UK Athletics as Chair. One member of the Appeal Panel shall be a solicitor or barrister with at least ten years’ post-qualification experience or call. UK Athletics may ask Sport Resolutions to make all or any such appointments.
28. No member of a Selection Panel may form part of the Appeal Panel. The identity of the Appeal Panel members will be disclosed to Appellant Athletes by Sport Resolutions following receipt of their Notice of Appeal.
29. If any member of the Appeal Panel has any involvement with or is related to an Appellant Athlete or a Third Party or is in any other way placed in a position of conflicting interests in respect of any appeal, they must disclose this and they shall be disqualified from sitting on the Appeal Panel and will be replaced by another person nominated by UK Athletics (or Sport Resolutions, if requested by UK Athletics).
30. Should the Appellant Athlete object to the composition of the Appeals Panel they must state their objections within one hour of being notified of the identity of the Appeal Panel by emailing appeals@britishathletics.co.uk. The Chair of the Appeal Panel shall review the objection and decide in their absolute discretion whether to alter the composition of the Appeal Panel or proceed with the nominated Appeal Panel.

THIRD PARTIES

31. Where it appears to the Appeal Panel that the interests of any Third Party may be affected by the appeal, they will ask UK Athletics to notify the Third Party of the appeal, provide them with a copy of the Notice of Appeal and other relevant documents and invite the Third Party to make any submission. The Appeal Panel will set the deadline for Third Party submissions to be received, which must be prior to the time set for the appeal hearing.



HEARING

32. Appeals will be conducted based on the written submissions of the Appellant Athlete and UK Athletics (contained within the Notice of Appeal and UKA Response), without a hearing or the calling of witnesses or the giving of oral evidence.
33. In exceptional circumstances and at the discretion of the Appeal Panel, a party to the appeal may be invited to provide information by telephone or in writing.

MISCELLANEOUS

34. Until the appeal is decided, UK Athletics will refrain from publishing any further details in relation to the selection which is the subject of the appeal or the Appellant Athlete.
35. The decision of the Appeal Panel will determine the rights of all the affected athletes (not just the Appellant Athlete) and therefore any Third Party who was contacted for submissions will be prohibited from appealing matters which have already been decided upon by the Appeal Panel.
36. The Appeal Panel should record their decision, with reasons, in writing, which should be supplied to UK Athletics and the Appellant Athlete within the deadline outlined in the Relevant Timeline. The Appeal Panel may, where required due to time pressures, provide a decision by email with full written reasons to follow.

REMEDIES

37. The Appeal Panel is entitled to rescind the decision of the Selection Panel and confirm the selection of the Appellant Athlete but only on the grounds set out in paragraph 15 of this Procedure.
38. The Appeal Panel shall be entitled to confirm the decision of the Selection Panel and reject the appeal.
39. The Appeal Panel may also quash the selection decision and remit the matter back to the Selection Panel notifying the errors they have identified in the conduct of the selection process and requesting that a new decision is made within such time as the Appeal Panel deem is reasonable in all the circumstances and noting the entry deadline for the relevant competition. There will be no further right of appeal for any new decision made by the Selection Panel in accordance with this clause.

CONFIDENTIALITY

40. UK Athletics, the Appellant Athlete and any Third Party are under an obligation of confidentiality in respect of any appeal proceeding under this Procedure. Save as permitted under this Procedure, none of these parties will make any public statement about or disclose the contents of the Notice of Appeal, or any other matter or document (including the selection meeting notes) referred to by any of the parties during the course of appeal proceedings. The duty of confidentiality set out in this paragraph extends to any athlete representative and it is the duty of the athlete to ensure their representative maintains the confidentiality of the proceedings.
41. UK Athletics is entitled to publish the decision of the Appeal Panel (or any element of it) in such manner and to such extent as is necessary to inform all properly interested and affected parties of the status of the selection decision previously published and the resulting position as to selection.

CHANGES AND AMENDMENTS TO THIS PROCEDURE

42. UK Athletics may amend this Procedure at any time in its sole discretion and will make any amended version publicly available at <https://www.uka.org.uk/performance/>.



CORRESPONDENCE

43. All correspondence regarding an appeal and any comments in respect of this Procedure should be sent to appeals@britishathletics.org.uk.

COSTS

44. The parties shall bear their own costs of any appeal.