



## Appeal Process

The following appeal process mirrors England Athletics' Appeal Process contained within the EA "club-disciplinary and appeals process" and applies to all members of the Walton Athletic Club (WAC) including athletes, officials, committee members, helpers or any other person who is associated with WAC.

This process should be read alongside the Club's Complaints Procedure and is intended to follow an investigation pursuant to that Complaints Procedure. Following the conclusion of an investigation all parties mentioned in the complaint are notified of the outcome and a right to appeal. The following process shall be adopted for the appeal.

1. **Notification:** The letter notifying the decision of the Sub-committee shall also set out the right to Appeal. The accused and/or the Complainant, may appeal against the decision of the sub-committee, by serving a Notice of Appeal on the Chair of WAC within seven calendar days of receiving the written decision. The Notice of Appeal must state the grounds on which the decision of the Sub-committee is challenged.
2. **Initial Consideration:** The Chair of WAC shall acknowledge receipt of any Notice of Appeal within seven calendar days of its receipt. The Chair will consider the Notice of Appeal and the grounds on which the verdict is challenged and the Chair will either confirm:
  - a. there are sufficient grounds/evidence provided to support the challenge and the Appeal Panel process will commence (step 3 below); or
  - b. there are insufficient grounds and the appeal will be dismissed.The decision made pursuant to this step 2 shall be final.<sup>1</sup>
3. **Appointment of Appeals Panel:** The Chair, shall appoint an Appeal Panel of three members who have not been involved directly, either in the events giving rise to the initial investigation or in the investigation itself. The Chair shall inform all parties concerned of the composition of the Appeal Panel. Either party may object to the composition of the Appeal Panel by notifying the Chair of their objection and setting out the reasons for such an objection no later than seven calendar days from the date of being informed of the composition of the Panel. The Chair, within fourteen calendar days from the date of receipt of an objection, will notify in writing the parties that either:
  - a. the composition of the Appeal Panel has changed, in which case the Chair shall provide details of the new Appeal Panel; or
  - b. the composition of the Appeal Panel has not changed, in which case the Chair shall give reasons why it has not accepted the objection.The Chair's decision shall be final.
4. **Appeal Panel Process:** Within fourteen calendar days from the date the Chair confirms the appointment of the Appeal Panel or responds to the objection above (as appropriate), the Chair shall give such directions to all parties that include:
  - a. the date and place at which the Appeal Panel will meet to determine the Appeal;
  - b. whether the appeal will proceed by way of written submissions or an oral hearing; and

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<sup>1</sup> If the Chair was part of the sub-committee who considered the complaint the Chair shall refer the initial consideration under this step 2 to an independent committee member or other party who shall have no connection with the initial complaint. If the appeal proceeds the independent party shall assist the Chair with the appointment of the Appeal Panel in accordance with step 3 and shall be part of the Appeal Panel.

- c. whether the parties should be required to submit statements of their evidence and/ or written submissions prior to the hearing and, if so, a timetable for doing so and the procedure for exchanging such statements and written submissions.
5. **Powers of the Appeal Panel:** The Appeal Panel shall meet on the date fixed by the Chair. The Appeal Panel may at its sole discretion disregard any failure by a party to adhere to this appeal procedure and may give such further directions as may be appropriate. Any such hearings shall be in private unless all parties agree otherwise, or unless the Appeal Panel directs. The Appeal Panel shall have power to make a decision on the facts as it thinks fit and may:
  - a. Quash the original decision;
  - b. Confirm the original findings;
  - c. Request that the case be reheard (re-trial)
  - d. Increase the original sanction;
  - e. Reduce the original sanction;
6. **Decision of the Appeal Panel:** The Appeal Panel shall inform all parties of its decision within fourteen calendar days together with written reasons for its decision. The decision of the Appeal Panel shall be final. The Appeal Panel shall decide on any issue by majority.
7. **Records of Appeals:** The decision of the Appeal Panel shall be recorded and retained in club records for a period of six years by the club unless the decision involves a life ban in which case the decision will be retained for as long as necessary to reflect the implementation of the ban. Supporting documentation shall also be retained in the same fashion.
8. **Notification to UK Athletics (UKA) and England Athletics (EA):** If the Appeal Panel consider it necessary to ensure compliance with a sanction, or for the safety and well-being of those engaged in athletics activity the Appeal Panel will inform the EA and/or UKA of its decision and the sanctions imposed. The EA/UKA may determine to publish details on their websites.
9. **Co-operation of all Parties:** The procedures described in this Appeal Process assume that all parties will co-operate in the interest of resolving the issue in question. In the absence of such co-operation, or if it is withdrawn at any stage, the Club reserves the right to proceed with the Appeal based on such evidence and information as it is able to obtain. When dealing with a complaint, the Chair shall be entitled to take, or omit to take, such action as is recommended pursuant to legal advice received from a legal practitioner whom the Chair reasonably believes is competent to provide such advice and/or EA's legal representative service for affiliated members.

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