



**Scottish Target Shooting**  
Caledonia House  
1 Redheughs Rigg  
Edinburgh  
EH12 9DQ

Updated On:  
16<sup>th</sup> October 2019

# STS Performance Programme: Selection & Nomination Appeals Process

## Overview

The following procedure has been developed by the performance programme of Scottish Target Shooting (STS) to consider any appeal made by any athlete (“the Appellant”) wishing to contest his or her selection, nomination or ranking for the following:

- Nomination or ranking submitted by to Commonwealth Games Scotland by STS for Commonwealth Games
- Selection for Commonwealth Shooting Federation Championships
- Selection for Commonwealth Shooting Federation (European Division) Championships
- Selection for the Performance Programme

This is the only applicable appeal procedure, overriding any other appeals procedures or processes within STS in relation to such selection, nomination or ranking and therefore provides the only process by which nomination, selection and ranking decisions are to be challenged.

## Notes To Consider Prior to Submitting an Appeal

- An Appellant seeking to challenge a nomination, selection or ranking decision must adhere to the strict time limits contained within this procedure for raising an appeal. Failure to raise an appeal properly in time will lead to the appeal being rejected, unless there are exceptional circumstances that can be evidenced.
- Appendix 1 (at the end of this document) must be used when submitting an appeal to ensure the required information is provided. Failure to do this will result in an appeal being rejected.
- For Commonwealth Games matters, this procedure should only be used to challenge the nomination or ranking decision submitted by STS to the Commonwealth Games Council for Scotland. This procedure does not apply to any decision by the Commonwealth Games Council for Scotland in terms of the number of quota places on Team Scotland allocated to STS or a refusal to accept any nomination made by STS.

## The Appeals Process

- Following a meeting of the STS Performance & Pathways Group meeting at which selection for one of the events or programmes stated above is agreed, all relevant selection, ranking and/or nomination decisions will be formally communicated by STS without material delay after the making of the relevant decision, and preferably by 2359 hrs on the Wednesday following the meeting of the selection panel. Failure by the Appellant to provide a correct email address or check his or her email shall not be considered a valid reason for failing to receive the communication or requesting an extension.

## Scottish Target Shooting

Scottish Target Shooting is a company limited by guarantee, incorporated in Scotland with registered number SC515115, having its registered office at Caledonia House, 1 Redheughs Rigg, Edinburgh, EH12 9DQ



Scottish Target Shooting is supported by

**sportscotland**  
the national agency for sport



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2. Regardless of selection, nomination or ranking, the email shall also include a copy of this appeals procedure, the Notice of Appeal (Appendix 1), Contact Details and Further Information (Appendix 2) and the Appeal Committee List (Appendix 3).
3. An athlete wishing to appeal a decision (“the Appellant”) is required to lodge an appeal in writing (“Notice of Appeal”) using the Notice of Appeal form contained in Appendix 1 to set out in full the basis upon which the Appellant wishes to appeal a selection, nomination or ranking decision directly relating to the Appellant.
4. The Notice of Appeal shall identify the Athlete by name, date of birth and STS membership number and provide a current address, mobile telephone number and email address.
5. The Notice of Appeal must specify what elements of the relevant STS Selection Policy it is claimed have not been adhered to or complied with when making the selection, nomination or ranking decision.
6. The Notice of Appeal must be accompanied by the relevant Selection Policy for the competition or programme in question and all other documentation which the Appellant wishes to rely upon in support of the Notice of Appeal.
7. Supporting paperwork can be submitted by the Appellant up to and including the deadline for submitting a Notice of Appeal.
8. A Notice of Appeal and all accompanying paperwork must be lodged by the Appellant with the STS Office (either via post or email to the points of contact appearing at Appendix 2) by 23:59 on the Sunday of the week when the Appellant was informed formally of their nomination, selection and/or ranking, at the latest.
9. It is the responsibility of the Appellant to ensure that their Appeal is lodged. Failure to submit the Notice of Appeal by the time stated in Clause 8 shall automatically result in the rejection of any Appeal received after this time.
10. Additionally, any supporting paperwork submitted any time after the deadline stipulated in Clause 8 shall not be accepted or considered.
11. The Notice of Appeal and all accompanying documentation must be marked ‘Private and Confidential: Notice of Appeal’ and for the attention of the STS Chief Operating Officer.
12. STS shall have a predetermined standing list of individuals from which an Appeals Committee can be formed. The full list shall be recorded in Appendix 3 and be called the Appeal Committee List. Any Appeal Committee shall comprise of a minimum of 2 (two), but where possible 3 (three) people from this list inclusive of one person from the list to act as Chair for the Appeal Committee.
13. Upon receipt of the Appellant’s Notice of Appeal (or beforehand for the purposes of being expedient) the STS Chief Operating Officer shall appoint an Appeal Committee from the list in Appendix 3, designating one person from the appointed number to serve as Appeal Committee Chair (hereafter referred to as Chair).



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14. The Notice of Appeal shall be forwarded by the STS Chief Operating Officer to the Chair.
15. Neither the Chair nor any other members of the Appeal Committee shall have had any prior involvement in the original selection, nomination or ranking decision or have any relevant connection with the Appellant.
16. The STS Chief Operating Officer shall provide administrative support to the Appeal Committee and appeals process. The STS Chief Operating Officer will not have any decision making responsibility in the appeal hearing.

### **Power of the Appeal Committee Chair**

17. The Appeal Committee Chair may:
  - i. Refuse to grant permission to proceed – in this circumstance, the original nomination, selection or ranking decision shall stand and the Appellant shall be notified accordingly; or
  - ii. Grant permission to proceed and to convene a hearing of the Appeal Committee.

### **Permission to Proceed**

18. The Chair shall first determine whether the Appellant shall be granted permission to proceed with the Appeal. Permission to proceed shall be granted where, in the view of the Chair, the Appellant shall have pointed to reasonable grounds to argue that the nomination, selection or ranking decision was not in accordance with the relevant Selection Policy as published by STS.

### **Appeal Hearings**

19. In the event that an appeal hearing is to take place (as determined in Clause 18) the Appellant shall be notified by the STS Chief Operating Officer by email no later than 23:59 on the Monday of the following week when the nomination, selection or ranking decision was formally communicated. The notification shall confirm the date, time and location of the meeting and include the list of individuals used to form the Appeal Committee (Appendix 3).
20. Unless otherwise stated, all hearings will be held on the Friday of the week the Appellant is notified about an Appeal hearing, exactly 9 (nine) calendar days after the original selection or nomination decision was communicated. Unless otherwise stated, all hearing meetings will be held between 16.00 and 21.00.
21. Failure by the Appellant to be available to attend this meeting shall not prevent the hearing from proceeding.

### **Right to Object to a Member on the Appeal Committee List (Appendix 3)**

22. Should the Appellant object to any members on the list of individuals who could form the Appeals Committee (Appendix 3), written notice of any objection to any individual, including full reasons, must be noted in Section (e) on the Notice of Appeal. Objections will not be considered if they are not included on the Notice of Appeal



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paperwork and submitted in accordance with the deadline for submitting the Notice of Appeal. Objections received after this deadline shall not be considered.

- 23. The STS Chief Operating Officer shall consider any such objection submitted by an Appellant and determine whether the individual(s) objected to should be excluded from sitting on the Appeal Committee for that Appellant’s hearing.
- 24. Should a member of the Appeal Committee become unable to sit, following the appointment of the Appeal Committee, for whatever reason, the STS Chief Operating Officer shall be entitled to appoint a substitute member from the list or the Appeal Committee can proceed with one less member so long as the number of people sitting on the committee does not fall below two. Irrespective of an appeal to, and potential change in, the Appeal Committee Composition, the original date of the appeal hearing shall remain unchanged and the Appellant is required to attend according to the details provided.

### Appeal Hearing Witnesses

- 25. Where a hearing is to take place, witnesses may be used by the Appellant and/or STS.
- 26. Where the Appellant wishes to use a witness at their hearing, the person(s) to be used and an explanation of why they would provide value to the hearing, must be noted in Section (f) of the Notice of Appeal. Witnesses will not be considered if they are not included on the Notice of Appeal paperwork and submitted in accordance with the deadline for submitting the Notice of Appeal.
- 27. Submissions must be made to the STS Chief Operating Officer who shall pass this on to the Chair. The Chair shall decide if permission is to be granted on a witness by witness basis. The Chair’s decision on whether or not to accept a witness cannot be appealed and the decision taken by the Chair shall be communicated to the Appellant when confirming the details of an Appeal, should it be deemed to proceed.

### Representation at the Appeal Hearing

- 28. In all cases, the Appellant is entitled to be represented at the hearing by a legal or any other representative.
- 29. Where the Appellant is under 18 years of age, he or she must be accompanied by a parent or guardian for the hearing. This does not impact on the Appellant’s rights for additional representation.

### Hearing

- 30. The Appeal Committee, through the Chair, shall be entitled to determine the procedure to be adopted at any hearing should a hearing be convened, having regard to the following principles:
  - i. It shall be for the Appellant to make their case and demonstrate that the original selection or nomination decision, that is being appealed against, was in error and requires to be overturned;
  - ii. The Appellant shall be permitted to question any witnesses attending to give evidence;



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- iii. If there are other parties to the proceedings, they shall have the opportunity to reply;
- iv. The Appeal Committee may question any person at any time;
- v. The Appellant shall be given the opportunity to make a closing statement; and
- vi. Proceedings shall be conducted in private.

31. STS shall be entitled to attend and shall be regarded as a party to proceedings. They may be legally represented and may give evidence (including documentary and witness evidence).

### Outcome

32. The STS Chief Operating Officer shall inform the Appellant of the Appeal Committee’s decision by 23:59 on the night of the appeal hearing. The STS Chief Operating Officer shall also inform the relevant STS committee of any recommendations the Appeals Committee deems appropriate regarding changes that need to be made to the nomination, selection or ranking process and/or procedure.

33. The Appeal Committee may provide written reasons for its decision and/or recommendations. These shall be communicated by the Chair to the STS Chief Operating Officer.

34. The decision of the Appeal Committee shall be final and binding.

### Miscellaneous

35. This procedure must operate in an expedited nature and, when required, all steps taken further to this procedure shall have regard to the timescales and requirements of the Commonwealth Games Council for Scotland and their obligations to notify the Commonwealth Games Federation of the athletes to be nominated to and comprising Team Scotland for the Commonwealth Games.

36. Any procedures pursuant to this policy shall not be quashed or invalidated by reason of any departure from the policy, defect, irregularity, omission or technicality unless such departure from the policy, defect, irregularity, omission or technicality raises a material doubt as to the reliability of the finding or decision of STS or results in a miscarriage of justice.

37. Save in respect of the appeal submission deadline outlined in Clause 8 which must be strictly applied at all times, the time limits outlined herein may be varied or extended at the sole discretion of the Appeals Committee Chair or the Appeals Committee as appropriate.



# STS Performance Programme: Selection & Nomination Appeals Process

## APPENDIX 1 – Notice of Appeal Against A Nomination or Selection Decision

For the attention of the Appeal Committee Chair with permission for this Notice of Appeal to be shared with the Appeal Committee if this appeal receives permission to proceed.

### (a) Personal Details:

First Name:		Surname:	
Date of Birth:	/ /	Mobile:	
E-mail Address:			
Street Address:			
City:		Post Code:	
STS Membership Number:	<b>ME</b>		

### (b) Decision Appealed Against:

Decision being appealed:					
Date notified of decision:		By who:		How did they notify you?	

### (c) Documentation:

I have enclosed with my appeal the following documentation:

Selection Policy/Athlete Agreement	<input type="checkbox"/>	<b>If you have submitted other documentation, please use the index below to list them:</b>
All other documentation I intend to rely upon	<input type="checkbox"/>	



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**(d) Grounds of Appeal:**

<b>D1. Statement of appeal:</b>	
<b>D2. Please list the provision(s) of the STS Selection Policy or terms of the Athlete Agreement that you consider have not been adhered to:</b>	
<b>D3. My appeal as set out above will seek to show that:</b>	<b>Please Tick As Appropriate</b>
<ul style="list-style-type: none"> <li>The selection, nomination or ranking decision was not in accordance with the relevant Selection Policy or terms of the Athlete Agreement as published.</li> </ul>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>The Selection Policy or terms of the Athlete Agreement has not been properly applied.</li> </ul>	<input type="checkbox"/>
<ul style="list-style-type: none"> <li>The conclusion is one that no reasonable decision-maker could have reached.</li> </ul>	<input type="checkbox"/>

**(e) Appeals Committee List:**

I object to the following individual(s) on the Appeal Committee List potentially being involved in my hearing for the following reason(s):

Name	Reason(s) for Objection



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**(f) Additional Representation/Witnesses:**

If you will be accompanied by any additional representation or wish to use a Witness in your appeal, please state the name of this person(s) and relationship of him or her to you below:

Name	Relationship to Appellant/Reason

**(g) Declaration:**

Finally, before we can process your application, please indicate that you accept the following:

By ticking this box:

- (1) I confirm that all statements made by me are made to the best of my ability and knowledge
- (2) I am making this appeal in good faith

Tick to accept

Signature of Appellant:	Date Signed:	Date Received: (Office Use Only)	Date Passed to Chair: (Office Use Only)
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**Notes**

1. A Notice of Appeal and all accompanying paperwork must be lodged by the Appellant with the STS Office (either via post or email to the points of contact appearing at Appendix 2) by 23:59 on the Sunday of the week when the Appellant was informed formally of their nomination, selection and/or ranking, at the latest.
2. It is the responsibility of the Appellant to ensure that their Appeal is lodged. Failure to submit the Notice of Appeal by the time stated in Clause 8 shall automatically result in the rejection of any Appeal received after this time.
3. Additionally, any supporting paperwork submitted any time after the deadline stipulated in Clause 8 shall not be accepted or considered.
4. The Notice of Appeal and all accompanying documentation must be marked 'Private and Confidential' and for the attention of the Appeals Committee.





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## APPENDIX 2 – Contact Details & Further Information

For the attention of the Appeal Committee Chair with permission for this Notice of Appeal to be shared with the Appeal Committee if this appeal receives permission to proceed.

### Contact details

- (a) Postal correspondence and attachments should be addressed to the STS Chief Operating Officer, marked 'Private and Confidential: Notice of Appeal' on the envelope:

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- (b) Email correspondence and attachments should be sent to the STS Chief Operating Officer, stating 'Private and Confidential: Notice of Appeal' in the subject, at: [coo@scottishtargetshooting.co.uk](mailto:coo@scottishtargetshooting.co.uk)

### Further Information

- (c) As an example of calculating the procedure in the policy for an athlete being notified of their nomination, selection or ranking, the process shall be as follows:

Week	Day	Deadline	Action	Clause
1	Wednesday	23:59	Athlete informed by email of nomination, or selection or ranking	1
1	Sunday	23:59	Athlete to submit Notice of Appeal (latest)	8
2	Monday	23:59	Athlete to be informed whether an Appeal Hearing will take place and, if it is, the location, date and time of the meeting	19
2	Friday	N/A	Appeal Committee hearing to take place	20
2	Friday	23:59	Appeal Committee decision to be communicated (latest)	32

- (d) It is the responsibility of the Appellant to ensure that their Appeal is lodged. Failure to submit the Notice of Appeal by the time stated in Clause 8 shall automatically result in the rejection of any Appeal received after this time.
- (e) Additionally, any supporting paperwork submitted any time after the deadline stipulated in Clause 8 shall not be accepted or considered
- (f) IT or other equipment failure shall not be an acceptable excuse for the Appellant's failure to lodge their Appeal and accompanying documents on time.



# STS Performance Programme: Selection & Nomination Appeals Process

## APPENDIX 3 – Appeal Committee List

### Appeal Committee

- (a) STS shall have a predetermined standing list of individuals from which an Appeals Committee can be formed. The individuals (or in some cases unnamed positions) are:
1. Margaret Ann Fleming, Chief Executive for the Scottish Volleyball Association;
  2. Pete Nicolson, Interim CEO for Tennis Scotland;
  3. Samantha Hendrikson, Head of Performance & Education for Scottish Gymnastics;
  4. Gary Fraser, Performance Manager for Scottish Disability Sport;
  5. Lawyer nominated by Harper Macleod, to be determined on a meeting by meeting basis.
- (b) Any Appeal Committee shall comprise of a minimum of 2 (two), but where possible 3 (three) people from this list inclusive of one person from the list to act as Chair for the Appeal Committee.
- (c) Upon receipt of the Appellant’s Notice of Appeal (or beforehand for the purposes of being expedient) the STS Chief Operating Officer shall appoint an Appeal Committee, designating one person from the appointed number to serve as Appeal Committee Chair.

### Appeal Committee Chair

- (d) Upon receipt of the Appellant’s Notice of Appeal (or beforehand for the purposes of being expedient) the STS Chief Operating Officer shall appoint an Appeal Committee from the list in Appendix 3, designating one person from the appointed number to serve as Appeal Committee Chair (hereafter referred to as Chair).

### Objecting to Individual(s) on the Appeal Committee List Being Involved in the Hearing

- (e) Should the Appellant object to any members on the list of individuals who could form the Appeals Committee (Appendix 3), written notice of any objection to any individual, including full reasons, must be noted in Section (e) on the Notice of Appeal. Objections will not be considered if they are not included on the Notice of Appeal paperwork and submitted in accordance with the deadline for submitting the Notice of Appeal. Objections received after this deadline shall not be considered.

### Appeal Hearing Date

- (f) Unless otherwise stated, all hearings will be held on the Wednesday of the following week, exactly 9 (nine) calendar days after the original selection or nomination decision was communicated. Unless otherwise stated, all hearing meetings will be held between 16.00 and 21.00