



POINTS BASED SYSTEM GOVERNING BODY ENDORSEMENTS REVIEWS AND DISPUTES - APPEALS PROCEDURE

Sponsors or Migrants wishing to appeal must do so within 7 days of receiving notification of the decision refusing their application and are advised to keep copies of all documents relating to the original decision and the appeal.

When a matter is the subject of an appeal, the Appellant shall submit the substance of their appeal, in writing [Appeal Form 1 can be utilised], for the attention of the Appeal Panel.

The Appeals Panel will consist of the following:

- Appeals Panel Chair - legal representative.
- Two other Appeals Panel members.

Appeal hearings will normally be held within 14 days of receipt of an appeal. These timescales may be altered at the discretion of the Appeals Panel Chair.

There will be no fee for an appeal, providing you are not asking us to consider new information.

Guidelines regarding appeals:

- An individual may only appeal on the basis that Basketball England have not applied the endorsement criteria correctly.
- Decisions of the Appeal Panel are final and binding and may not be the subject of further appeal or review.
- The Appellant may be given the right of a personal hearing, but solely at the discretion of the Appeals Panel, but not as of right.
- In the case of a personal hearing the Appellant may be accompanied by one person of their choice. The expenses incurred by the Appellant, and any person accompanying the appellant, in attending a personal hearing are their responsibility.
- Appeals which are heard by Basketball England's Appeals Panel are not legal tribunals, and are not required to follow strict legal procedure. Notwithstanding these facts, it is intended that the Appellant should always receive a full and fair hearing.
- The procedures to be adopted by the Appeals Panel will be a matter solely determined by the Appeal Panel, ordinarily:-

[1] To lodge an appeal the Appellant, on receiving details of the decision, should provide a written statement of the appeal, indicating the grounds for the appeal, together with such accompanying documents as the Appellant deems to be appropriate.

[2] The person responsible for convening the Appeal Panel shall notify all concerned of the date, time and place for the hearing of the Appeal, which shall be determined after having due regard to the urgency of the matter and with reasonable regard to the availability of all concerned. The Convenor shall notify the Appellant of the composition of the Appeals Panel.

[3] On being advised that an Appeal has been lodged, the Officer responsible for the original decision should provide a written statement together with the relevant supporting documents, detailing the following:-

- (i) The original decision
- (ii) The reason for the decision
- (iii) Any justification or explanation that may be deemed to be appropriate
- (iv) The information that was considered in reaching the original decision

[4] The Convenor of the Appeals Panel should ensure that all relevant information is provided to the Appellant, the Officer responsible for the original decision, and to all members of the Appeals Panel, in good time prior to the meeting of the Appeals Panel. (Ideally at least 7 days prior to the meeting, but if this is not possible by virtue of the short notification, then as soon as practicable, and at least 24 hours prior to the meeting.)

[5] The Appellant may present to the Appeals Panel such submissions as they consider appropriate. The Appellant should ensure that the members of the Appeals Panel receive this information as far in advance of the time of the hearing as possible, to give them full opportunity to study the submissions, but the information may be presented to the panel by the Appellant on arrival at the hearing. In such circumstances, the Appellant must accept that the Appeals Panel may not be able to fully study this information and may require the opportunity to further research the matter in the light of the information provided.

[6] The Appeals Panel will convene and, where appropriate, invite the Appellant to join the hearing. The Appellant may be accompanied by one other person if the Appellant so chooses.

[7] The Convenor will notify the Appellant and the other interested parties of the decision of the Appeals Panel in writing. This will normally be 72 hours after the hearing.

To be completed by the Appeals Panel Chair

Date of appeals hearing:	
Appeal hearing attendees:	
Details of the hearing:	
Outcome of the Hearing	
Uphold the original decision	
Overturn the original decision	

Outcome statement :

Signed			
Appeals Panel Chair:		Date:	