

1. Interpretation

The following definitions and rules of interpretation apply in this Appeals Process (unless the context requires otherwise).

1.1. Definitions:

Association: The British Association of Sport and Exercise Sciences.

Accreditation Committee: The committee of individuals from time to time empowered by the Association to make Awards in accordance with the Terms of Reference.

Appeals Panel: Has the meaning given to it at clause 3 of this Appeals Process.

Applicant: A Member that has applied for an Award.

Award: An award made by the Association to a Member, including the following accreditations: Certified Exercise Practitioner; Accreditation; Re-Accreditation; High Performance Sport Accreditation; Registered Scientist; Chartered Scientist and any other award or certificate given by the Association.

Awarding Panel: A panel convened to make specific awards

Board: The Board of Directors of the Association

Education Officer: The person so designated by the Association.

Final Appeal: An appeal made in accordance with section 3 of this Appeals Process.

Final Appeal Notice: Has the meaning given to it in clause 3 of this Appeals Process.

Member: A member of the Association including Fellows.

Terms of Reference: Means the Terms of Reference of the Association from time to time in place and pursuant to which the Accreditation Committee makes Awards.

- 1.2. This Appeals Process is binding on the Association and on Members whether or not they have previously indicated their acceptance of the Association's Policies. A copy of this Appeals Process will be made available on the BASES website www.bases.org.uk/Publications-Documents-and-Policies.

2. Introduction

- 2.1. Pursuant to its objectives, the Association may in its absolute discretion make an Award to a Member. Where a Member is aggrieved with a decision of the Association not to make an Award or to retract an Award, the Member may appeal to the Appeals Panel pursuant to this Appeals Process.
- 2.2. Appeals to the Appeals Panel may be made in relation to the awarding of the following Awards:
- 2.2.1. Certified Exercise Practitioner.

2.2.2. Accreditation.

2.2.3. Re-Accreditation.

2.2.4. High Performance Sport Accreditation.

2.2.5. Registered Scientist.

2.2.6. Chartered Scientist.

2.2.7. Such other award or certificate made or given by the Association from time to time to Members.

- 2.3. An Applicant shall in all cases receive a statement in writing of the reasons why the Accreditation Committee or other awarding panel has refused an application for an Award (the "Decision") within 14 days of the Decision being made.

3. Appeals to the Accreditation Committee or awarding panel through an appeal panel

The grounds and process by which an Applicant may make a Final Appeal

- 3.1. If an Applicant is aggrieved at the Decision of the Accreditation Committee or awarding panel (as set out in the written grounds of refusal referred to at paragraph 2.3 above) the Applicant may lodge a Final Appeal to the Board.
- 3.2. A Final Appeal may be made only on one or more of the following grounds:
- 3.2.1. that the Accreditation Committee or awarding panel misinterpreted or misapplied the Terms of Reference when considering the application;
- 3.2.2. that the Accreditation Committee or awarding panel discriminated arbitrarily against the Applicant;
- 3.2.3. the Accreditation Committee or awarding panel made a material incorrect finding of fact or misinterpreted the evidence before it; and/or
- 3.2.4. of material maladministration on the part of an administrative officer (including the Education Officer).
- (Together the "Grounds" and each a "Ground".)
- 3.3. A Final Appeal may not be based on any challenge to or questions regarding a referee's report to the Accreditation Committee or awarding panel.
- 3.4. A Final Appeal must be made by written notice to the Education Officer (the "Final Appeal Notice") and the Final Appeal Notice must be submitted within 14 days of the date of the Decision being communicated to the Applicant. The Final Appeal Notice must contain full details of the Applicant's address and contact details.
- 3.5. On receipt of a Final Appeal Notice submitted in accordance with clause 3.2 above, the Education Officer shall send to the Chair of the Board (or his or her nominee) copies of:
- 3.5.1. the Applicant's original application;
- 3.5.2. the Applicant's Final Appeal Notice;
- 3.5.3. any evidence or documentation submitted by the Applicant in support of the Final Appeal Notice.

The Appeal Panel: Its constitution and functions

- 3.6. The Chair of the Board shall convene a panel (the "Appeals Panel") to hear the Final Appeal. The Appeals Panel shall comprise the Chair of the Board and two other members of the Board.
- 3.7. The Education Officer shall be Secretary to the Appeals Panel but shall not have a vote.

- 3.8. No member of the Appeals Panel, nor the Secretary to the Appeals Panel in the case of a Final Appeal on the grounds of maladministration, shall have previously considered the Application or shall have acted as a referee for the Applicant.
- 3.9. The Appeals Panel shall have all powers to investigate the Final Appeal and shall have the power to collect information (including personal statements where appropriate) from any source to assist in its investigation.
- 3.10. The quorum for a meeting of the Appeals Panel shall be three voting members. Decisions of the Appeals Panel shall be by a simple majority.

The Final Appeal process

- 3.11. The Secretary shall serve on the Applicant at the address specified in the Final Appeal Notice written notice of the date on which the Final Appeal is to be heard. The Applicant is to be given not less than 28 days' notice of the date of the Final Appeal.
- 3.12. The Applicant shall have the right to attend the hearing of the Final Appeal and to address the Appeals Panel. *The Applicant may be accompanied by a single representative who may, in place of the Applicant, address the Appeals Panel on the Applicant's behalf.*
- 3.13. If the Applicant wishes to have a representative present at the hearing of the Final Appeal, they must inform the Education Officer at least 7 days before the date of the hearing.
- 3.14. Neither the Association nor the Appeals Panel shall be responsible for any costs incurred by the Applicant or the Applicant's representative in connection with the Final Appeal.
- 3.15. The Appeals Panel shall report to the Board in writing with a recommendation that the Board:
 - 3.15.1. uphold the Final Appeal; or
 - 3.15.2. reject the Final Appeal.
- 3.16. Such report shall be accompanied by all papers considered by the Appeals Panel and the Appeals Panel shall give its reasons for the recommendation.
- 3.17. The Board must consider the recommendation of the Appeals Panel at the earliest practicable Board Meeting, at which the Board shall adjudicate on the Final Appeal.
- 3.18. The decision of the Board to uphold a Final Appeal against the refusal of an application by the Accreditation Committee or awarding panel shall be by a majority vote. If the foregoing criteria are not met, in accordance with clause 3.2, the Final Appeal shall be rejected.
- 3.19. The Education Officer shall communicate the decision of the Board in writing to the Applicant at the address specified in the Final Appeal Notice. In the event that the decision is to confirm a rejection of the Application, the Education Officer shall send it by recorded delivery and shall specify the reasons of the Board for the decision.
- 3.20. There shall be no further right to appeal.