

AoC Sport and ECFA Competition Walkovers, Protests and Appeals Procedures

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1. INTRODUCTION & CONTEXT

Disputes are inevitable in competition and we at AoC Sport have a responsibility to ensure that all disputes are resolved fairly and consistently. We take this role seriously and pride ourselves in our ability to deal with disputes and issues professionally, ensuring that when they are brought to our attention they are addressed quickly and efficiently, reaching positive conclusions wherever possible.

Each year a number of disputes are received which are unable to be resolved to the satisfaction of either party. This could be in part or in main due to poorly structured communication by the protesting party, a failure by the protesting party to follow proper protocols or in some cases unbalanced or misleading disputes with an intention to influence decisions. We need to discourage such cases, to allow us to keep our focus on bona fide cases which need genuine intervention.

2. OBJECTIVES

The following guidance is provided to:

1. Provide a clear and straightforward process for dealing with issues arising within competitions.
2. Introduce a system for dealing with claims quickly and efficiently.

3. Manage a tiered process that allows us to involve the right staff at the right stages.
4. Keep a focus on colleges maintaining positive dialogue and constructive relationships.
5. Protect the integrity of competitions, with clear accountability for all parties.

3. KEY CONSIDERATION

Any correspondence that you, your colleagues or staff have with another college, AoC Sport or ECFA in relation to our competitions is deemed as an official communication on behalf of your college and employer.

4. TOP TIPS

We have identified five top tips to help ensure your issue is resolved quickly and effectively:

1. Please follow the stage-process **precisely** - escalating the issue too quickly i.e. missing out stages, contacting different staff (especially Managing Directors) will actually slow down the process of resolving the appeal/dispute.
2. Attempt dialogue with the other party calmly and rationally to find a sensible, amicable solution wherever possible, and follow up in writing.
3. Try to be as concise and specific as possible around details of the issue and possible root causes. This will help us ascertain facts and work with you towards resolving the issue quickly and appropriately.
4. Focus on the facts wherever possible. Valid points can be lost through expression, i.e. overly emotional responses.
5. Ensure you provide the details of any neutral party present (referee, official, manager), as this often helps support claims.

To enable us to deal with disputes effectively and in a structured and swift fashion we ask that you adhere to the process featured on the following pages.

5. IMPORTANT STATEMENT

It is the responsibility of each institution participating within AoC Sport or ECFA competitions to ensure their staff:

1. Fully understand the rules of the competition in which they are playing.
2. Are provided with a copy of these guidelines.
3. Clearly understand these guidelines.
4. Follow these guidelines.

We advise the protests and appeals procedure flow chart on the following page is clearly displayed in your sports office and taken to fixtures in a folder to provide a quick reference tool. This is to ensure that should an issue arise or you wish to make a subsequent complaint this can be dealt with professionally and quickly, and not be hampered by a failure of staff to follow the guidelines as set out.

6. SUMMARY OF AoC SPORT/ECFA

WALKOVERS, PROTESTS & APPEALS PROCESS FLOW DIAGRAM

Playing under Protest

• **MAKING A PROTEST TO YOUR OPPONENT**

- For issues that are known before, arise on the day or during the fixture.
- Initially log your protest with the team or individual concerned. Attempt to resolve amicably.
- If the issue cannot be resolved complete a Playing under Protest Form and use as evidence to support a Stage 1 (S1) Appeal.

Stage 1

• **MAKING A WALKOVER OR PROTEST ABOUT YOUR OPPONENT to AoC SPORT or ECFA**

- Formally submit a Stage 1 (S1) Walkovers, Protests and Appeals Form to appeals@aoc.co.uk.
- Evidence to be submitted detailing measures you have taken previously which could include a Playing Under Protest Form, team sheet, emails etc.
- Competition Administration Officer will investigate and a decision will be made on appropriate course of action.

Stage 2

• **APPEALING A STAGE 1 DECISION made by AoC SPORT or ECFA**

- Formally submit a Stage 2 (S2) Protests and Appeals Form to appeals@aoc.co.uk.
- Evidence to be submitted detailing measures taken up to Stage 1.
- Senior Competition Administration Officer/Competitions Manager will review information, investigate and either uphold original decision or make a decision on alternative course of action.

Stage 3

• **APPEALING A STAGE 2 DECISION made by AoC Sport or ECFA through an APPEALS COMMITTEE**

- Formally submit a Stage 3 (S3) Final Stage Protests and Appeals Form to appeals@aoc.co.uk together with £100 fee.
- Evidence to be submitted detailing measures taken up to Stage 2.
- Appeals Committee will be convened to review case in accordance with competition rules.

Forms available from <http://www.aocsport.co.uk/resources.aspx>

7. EXPLANATION OF EACH STAGE PROCESS

PLAYING UNDER PROTEST

Playing under Protest	MAKING A PROTEST TO YOUR OPPONENT
Context	When the conditions of the fixture presented by an institution to another institution do not adhere to those outlined in the rulebooks, or one party is unhappy with the conditions presented to them.
Action	Initially log your protest with the team or individual concerned. Discuss the nature of the complaint attempting to resolve amicably and reach agreement on a solution or range of solutions. If issue cannot be resolved complete a Playing under Protest Form and use as evidence to support a Stage 1 (S1) appeal.
Why	Communication between institutions is the quickest and most effective way of resolving issues. This approach strengthens relationships between institutions and avoids unnecessary damage or breakdown in relationships. It also saves all parties an unnecessary increase in workload through various processes of documenting evidence, ensuring time is better spent on priority areas.
Procedure	<p>If issue is known before, arises on the day or during the fixture. Example scenarios that can lead to Playing under Protest:</p> <ul style="list-style-type: none"> • Officials – (number/qualifications/neutrality) • Ineligibility of players (must be accompanied by a team sheet) • Travel problems/late arrival • Quality of facilities <p>Procedure to be undertaken:</p> <ul style="list-style-type: none"> • Log protest with team or individual. • Attempt to resolve. • If issue cannot be resolved complete a Playing Under Protest Form. • State ALL grievances. <p>Both teams MUST sign the Playing Under Protest Form.</p>
When should this be done?	As soon as the issue arises complete a Playing Under Protest form.
Outcomes	<ul style="list-style-type: none"> • Protest logged formally with the other party. • Agree to uphold/replay/amend score-line (if appropriate) or raise concerns for future. • Remember to get any agreement in writing so as to avoid 'end of season amnesia' • Send written agreement to AoC Sport for approval (AoC Sport must give final approval to any agreements to avoid accusations of institutions perceived to be collaborating). If a walkover is agreed by both parties or requested by a party then a Stage 1 (S1) Walkovers, Protests & Appeals Form must be completed and sent to appeals@aoc.co.uk

Important notes	<ul style="list-style-type: none"> • The opposition signing a Playing Under Protest form is to simply acknowledge that the other team has formally raised a grievance. Signing this form is in no way an admission of guilt or agreement of circumstances. • Usually if a Playing Under Protest form is not completed, the institution does not have the right to appeal however, the only exception to this is if something comes to light during the game or following the fixture for which the team did not or could not know at the time.
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STAGE 1 (S1)

STAGE 1	MAKING AN APPEAL ABOUT YOUR OPPONENT to AoC SPORT or ECFA
Context	If action taken at Playing under Protest stage fails to resolve this situation or the circumstances are unique or significant in nature that they dictate that you are unable to approach your opponent directly.
Action	A formal appeal should be made in writing using Stage 1 (S1) Walkovers, Protests & Appeals Form and sent to appeals@aoc.co.uk , outlining the issues. This will then be logged and forwarded to the appropriate Competition Administration Officer. An acknowledgement of your appeal will be made upon receipt and it will be investigated accordingly.
Why	<p>Our administrators deal with a massive number of communications each week from colleges. A typical week will be over 5000 email or phone call correspondences. Our staff has to distinguish between what is a one-sided or informal gripe, a member of staff attempting to influence or manipulate a decision or what is a genuine case put forward that needs investigating or reviewing.</p> <p>This Stage 1 (S1) approach ensures there is a formal process which each party is accountable for. The case will be initially looked into and we will review. College staff may be contacted at this point.</p>
Procedure	<p>The institution must complete and submit a Stage 1 (S1) Walkovers, Protests & Appeals Form</p> <ul style="list-style-type: none"> • Form available from http://www.aocsport.co.uk/resources.aspx. <p>Decide on the type of Stage 1 (S1) appeal and mark accordingly.</p> <ul style="list-style-type: none"> • <u>Voluntary Walkover</u> (Complete part A) A voluntary walkover is when both parties agree that a walkover should be awarded in the circumstances. • <u>Involuntary Walkover</u> (Complete part B) An involuntary walkover is when one party feels that a rule or regulation has not been adhered to and has the right to appeal for the game to be awarded. • <u>Protest</u> (Complete part C) All other transgressions of the rules and regulations. <p>Any appeal against player eligibility must be accompanied by a <u>team sheet</u>.</p>

	<p>What Information Should Be Included:</p> <ul style="list-style-type: none"> • A clear, detailed description of what your grievance is about. • Copies of any communication such as emails or correspondence related to the grievance. • Details of any witnesses i.e., a referee or others affected. • Your email address or postal address (so we can reply). • Your proposed solution. <p>The following process will happen upon acknowledgement of a Stage 1 (S1) Walkovers, Protests & Appeals Form:</p> <p>Upon receipt the appropriate Competition Administration Officer will review all the information. Contact may be made to confirm details or gather further information to aid them with the decision making process. Once all the evidence has been reviewed the Competition Administration Officer will, where possible, make a decision within one week of the protest being received.</p>
When should this be done?	<p>Leagues: Walkovers and protests must be submitted within 7 days of the fixture.</p> <p>Cups: Walkovers and protests must be submitted within 24 hours of the fixture.</p> <p>Please note: Any protest against player eligibility must be accompanied by a team sheet.</p>
Outcomes	If you are dissatisfied with the decision made by the Competition Administration Officer then proceed to Stage 2 (S2) Appealing a Stage 1 Decision.
Important Notes	Please note at Stage 1 as part of the (S1) Walkovers, Protests & Appeals Form, you will be asked by the Competition Administration Officer to provide details on what actions you have taken at the Playing under Protest stage to initiate amicable dialogue between parties. If we feel you have not explored appropriate action before reaching Stage 1 you will be asked to do this first. This may slow the process down, so please consider all options before progressing too quickly into making an appeal to AoC Sport.

STAGE 2 (S2)

STAGE 2	APPEALING A STAGE 1 DECISION made by AoC SPORT or ECFA
Context	If the intervention of a Competition Administration Officer at Stage 1 fails to resolve this situation, and you feel a significant injustice has been made.
Action	A formal appeal should be made in writing using a Stage 2 (S2) Protests & Appeals Form and sent to appeals@aoc.co.uk , outlining the issues. This will then be logged and forwarded to the Senior Competition Administration Officer/Competitions Manager. An acknowledgement of your complaint will be made upon receipt and will then be investigated accordingly.
Why	Most cases of complaints will be dealt with at the Playing Under Protest stage or at Stage 1 (S1) between institutions with the intervention of AoC

	<p>Sport or ECFA staff. On some occasions, our competition administrators have to make difficult decisions, particularly those involving disputes or counter-arguments. We therefore have a Stage 2 process whereby our senior staff can review special cases. Please review the important notes on this, as this will only occur if the institution has provided full comprehensive details from the outset.</p>
Procedure	<p>The institution must complete and submit a Stage 2 (S2) Protests and Appeals Form</p> <ul style="list-style-type: none"> Form available from http://www.aocsport.co.uk/resources.aspx. <p>The following process will happen upon acknowledgement of a Stage 2 (S2) Protests and Appeals Form:</p> <ul style="list-style-type: none"> AoC Sport Senior Competition Administration Officer/Competitions Manager will consider all evidence received - more information/clarification may be requested. AoC Sport Senior Competition Administration Officer/Competitions Manager will investigate your complaint, often liaising with the Regional Sports Operations Officer for local knowledge (looking at whether your questions were answered, whether you suffered any injustice or hardship, and what remedy would be fair and proportionate in the circumstances) We aim to respond to appeals within 10 working days, if not sooner, to allow us to investigate properly. If we can't reply to you within this time, we will let you know and tell you when you can expect a reply. AoC Sport Senior Competition Administration Officer/Competitions Manager advises both parties of the decision.
When should this be done?	<ul style="list-style-type: none"> Deadline: within 5 working days of the Stage 1 (S1) decision unless it relates to a cup fixture and then this must be done within 2 working days. Any appeal received outside this timeframe will not be accepted, it is strongly advised that you send your appeal with proof of posting or email receipt.
Outcomes	<p>If you are still dissatisfied with the decision made by the AoC Sport Senior Competition Administration Officer/Competitions Manager then proceed to Stage 3 (S3) – APPEALING A STAGE 2 DECISION with an APPEALS COMMITTEE</p>
Important Notes	<p>Please note at Stage 2 the Senior Competition Administration Officer/Competitions Manager will review the same details that you submitted up to Stage 1. If you provided insufficient information or detail to allow our administrators at Stage 1 to make an appropriately informed decision then the Stage 2 decision may not be reversed.</p>

STAGE 3 (S3)

STAGE 3	APPEALING A STAGE 2 DECISION MADE BY AoC SPORT OR ECFA
Context	<p>The rules of competitions are binding on all those who take part. If an institution believes they have solid grounds to appeal against the outcome of a Stage 2 decision there are strict procedures which must be followed. This is the final right of appeal, named Stage 3, and can be activated as long as all appeal procedures have been followed.</p> <p>Any appeal which does not satisfy all the requirements (as outlined below) will not be accepted.</p>
Action	<p>An appeals committee panel will be convened to review all of the evidence presented up to Stage 2 and will be charged with making a final decision based on the evidence available.</p>
Why	<p>It is important that there is a final stage of the appeal process. A member of the AoC Sport Executive Committee or the ECFA Football Development Manager will chair a panel which will include two other representatives. The panel are charged with reviewing the full details of the case as provided through evidence up to Stage 2 and in accordance with the rules.</p>
Procedure	<p>If you wish to make a Stage 3 (S3) Final Stage Appeal:</p> <ul style="list-style-type: none"> • The institution must complete and submit a Stage 3 (S3) Final Stage Protests and Appeals Form along with a £100 cheque or PO Number for this amount. • Any appeal received without the appropriate payment will not be accepted. • Send the Stage 3 (S3) Final Stage Protests and Appeals Form by email to appeals@aac.co.uk. • Form available from http://www.aocsport.co.uk/resources.aspx • The case is then referred to the Appeals Committee. <p>The Appeals Committee will likely be made up of the following persons:</p> <ul style="list-style-type: none"> • Chair – A member of the AoC Sport Executive Committee or the ECFA Football Development Manager • Panel – 2 impartial members of staff with relevant knowledge for the sport. This could include an AoC Sport or ECFA Board or committee member, or an AoC Sport Regional Operations Officer. <p>Procedure:</p> <ul style="list-style-type: none"> • All information from the institution who lodged the full appeal is presented to the panel. • Evidence is questioned by the panel. • All information from the defending institution is presented to the panel. • Evidence questioned by the panel. • We aim to respond to appeals within 10 working days, if not sooner, to allow us to investigate properly. If we can't reply to you within this time, we will let you know and tell you when you can expect a reply.

<p>When should this be done?</p>	<ul style="list-style-type: none"> • Deadline - within 5 working days of the Stage 2 Decision, or if this relates to a cup competition then this must be done within 2 days. • Any appeal received outside this timeframe will not be accepted, it is strongly advised that you send your appeal with proof of posting or email receipt.
<p>Outcomes</p>	<p>The Appeal Committee have the power to:</p> <ol style="list-style-type: none"> (a) Exercise any power relating to the competition. This may include upholding or rejecting a previous decision. It may also include issuing a new, increased or decreased penalty, award, order or sanction to that originally imposed. (b) Remit the matter for a re-hearing if insufficient material is available to make a final decision. (c) Order that any appeal fee shall be forfeited, deducted, awarded or returned as it considers appropriate. (d) Make any order it considers appropriate, generally or for the purpose of giving effect to its decision. (e) make an order to pay any amount of costs for the hearing, against either party. <p>In the event of your appeal being dismissed, or if you fail to provide the details requested, an order to pay costs may be awarded against you, if deemed appropriate. This can be up to £500.</p> <p>A full written response will be provided to all parties involved.</p> <p>There will no attendance in person by either party at the appeals committee, unless both parties are specifically invited.</p>
<p>Important Notes</p>	<p>Please note at Stage 3, that no further evidence can be added to the case unless it was unavailable at the time.</p> <p>A supporting email from a senior manager explaining your ground/s of appeal should be sent to accompany the Stage 3 (S3) Final Stage Protests and Appeals Form.</p> <p>You can only appeal under the following grounds, if your appeal does not come under at least one of these grounds your appeal will not be accepted and your correspondence will be returned to you.</p> <p>When making a Stage 3 decision, the organisation:</p> <ol style="list-style-type: none"> (a) Failed to give the institution a fair opportunity to provide evidence up to Stage 2. (b) Failed to comply with the relevant competition rules or procedures. (c) Came to a decision on the facts of the case which no reasonable body could have reached. (d) Imposed a punishment using reasons that do not conform with the Competition Rules. (e) Imposed an award, order or any other sanction deemed to be excessive.