***2021 Final***

**The British Disability Fencing**

**Great Britain Wheelchair Fencing
Tokyo 2020 Paralympic Games Selection Policy**

This Selection Policy (“the Policy”) outlines the process by which British Disability Fencing (BDF) will determine their athlete nominations for the ParalympicsGB Team at the Tokyo 2020 Paralympic Games to be held from the 24 August to 5 September 2021.

This Policy is owned by the BDF and has been approved by the Performance Management Board (PMB) which is responsible for managing the Wheelchair Fencing World Class Programme.

**Objective**

The primary aim of this Policy is to maximise medal success at the Tokyo Paralympic Games by creating and converting medal opportunities.

The Paralympic Games are the primary performance event for the World Class Programme during the 2016-2020 Tokyo cycle.

Nomination of wheelchair fencing athletes for selection to represent ParalympicsGB at the Tokyo Paralympic Games (hereinafter referred to as “the Games”) will be made according to the process set out in this Policy.

All nominations by BDF on selection to the ParalympicsGB team require ratification by the British Paralympic Association (BPA). Nomination to the BPA does not guarantee selection for the Games. The BPA must approve all nominations made by BDF before selection is confirmed.

GENERAL PRINCIPLES

**1. Eligibility**

To be considered for nomination and be eligible to compete for ParalympicsGB, wheelchair fencing athletes must:

1. meet all eligibility requirements to compete for Paralympics GB at the Games as set down by the BPA, the International Paralympic Committee (IPC), the International Wheelchair and Amputee Sports Federation (IWAS) and BDF.
2. be internationally classified with a ‘Confirmed’ sport class status, or a ‘Review’ sport class status with a review date after the 31 December 2021.
3. have completed anti-doping education and not be serving a ban from competition as a result of being found guilty of a doping offence or other breach of ethical conduct, nor be in receipt of a lifetime funding ban from UK Sport;
4. sign and adhere to the BPA Team Member Agreement once their nomination is ratified by the BPA.
5. have signed and adhered to the BDF Code of Conduct;
6. Have achieved the qualification standards set by IPC/IWAS. Further details of the most current version of the IWAS Qualification Process for the Games can be found at:

[Tokyo 2020 Qualification Criteria](https://www.paralympic.org/sites/default/files/2021-04/2021_04_30%20Tokyo%20QG.pdf%22%20%5Ct%20%22_blank)

1. have competed in at least three internationally sanctioned IWAS Wheelchair Fencing competitions between 1 November 2018 and 31 May 2021.

**2. Composition of the Nomination Panel and nomination criteria.**

The nomination process for Wheelchair Fencing for the Games is as follows:

1. All decisions in relation to the nomination of athletes for ratification/selection by the BPA shall be made by a nomination panel(“the Nomination Panel”). Decisions of the Nomination Panel will be made by majority vote. In the event of a tied vote the Chairperson shall have the casting vote. This Nomination Panel shall comprise of:
	1. **Chairperson** (the Wheelchair Fencing Team Leader at the Games). The Chairperson shall be entitled to one vote in the selection and will be responsible for ensuring and documenting that due process is followed, and that nominations are made in adherence with this policy. The Chairperson shall have a casting vote.
	2. **GB Lead Coach.** The GB Lead Coach shall be entitled to one vote and shall be responsible for compiling results and other relevant performance details [from IWAS] on all athletes being considered for nomination in order to confirm the athlete meets the nomination criteria set out in paragraph 3 below (such data to be provided to the Nomination Panel prior to the date of the Nomination Meeting).
	3. **PMB BDF Representative**. The PMB BDF Representative shall be entitled to one vote and is responsible for assisting the GB Lead Coach in compiling any necessary results and rankings data from IWAS in advance of the Nomination Meeting.
	4. **Recording Officer**. The Recording Officer is **not** entitled to vote and will not be involved in the nomination discussions other than to provide advice on non-technical matters. The Recording Officer will be responsible for documenting details of the Nomination Meeting, including any decisions as appropriate.
	5. **BPA Independent Observer**. The BPA Independent Observer will **not** be entitled to vote but will provide an independent overview to ensure due process is followed at the Nomination Meeting. The BPA Independent Observer will **not** be a member of the BDF or PMB.
2. On or around 8th June 2021, a meeting of the Nomination Panel will take place to consider all nominations (“the Nomination Meeting”).
3. An athlete shall be considered for nomination if the athlete meets the following nomination criteria and:
	1. has been allocated an individual IWAS Qualification Slot through a dual weapon ranking or an individual weapon ranking, providing they have a **proven** track record of medal winning performances at IWAS World Cup competitions during the Tokyo 2021 qualification period where the competitive field is of a standard comparative to that of the Paralympic Games.
	2. may be considered for team selection if three or more athletes have qualified across both category A and B within the same gender **or** if the BPA has been allocated an additional IWAS team slot to make up a team.
	3. In the event that 3 or more athletes for 1 gender have been allocated an IWAS Individual Qualification Slot, the nomination of three athletes to compete in one or both team events at the Games will be made by the Team Leader and Lead Coach, who may consult other members of the Games time coaching team and medical team.
	4. Where only 2 athletes have qualified directly through an IWAS Qualification Slot **BUT** the BPA has received an additional invitational Qualification Slot for a 3rd team athlete, the nomination of this additional team place will be made at the absolute discretion of the Nomination Panel following recommendation from the Lead Coach, based on performance factors related to team event performance in the stated weapon.
	5. Has been assessed as medically fit to travel and compete by the EIS/BPA medical staff if required
4. Following the Nomination Meeting, the Chairperson will forward all athlete nominations to the PMB for their approval. The PMB reserves the right to check and challenge these nominations.
5. Once approved by the PMB, the Chairperson will forward the approved nominations to the BPA for formal ratification.

**3. Summary Qualification Timeline (indicative timelines which are subject to change)**

|  |  |
| --- | --- |
|  Date | Milestonepage3image66481088page3image183393216 |
| 1 November 2018  | Start of the IWAS Qualification Period  |
| 31 May 2021 | End of the IWAS Qualification Period  |
| 7 June 2021  | IWAS confirms the allocation of qualification slots to NPCs |
| 9 June 2021  | Nomination Panel meet to discuss the nomination of athletes to the BPA for ratification. PMB informed of nominations by Chairperson of Nomination Panel. The Nomination Panel will discuss the nomination of an additional team athlete place in the event of Great Britain being reallocated an unused qualification slot by IWAS.  |
| 9 June 2021  | All nominated and non-nominated athletes to be notified of nomination decisions.  |
| 10-12 June 2021 | **Appeals period**. All eligible athletes appealing must submit an appeal by 0900 on13th June in accordance with Appendix 1 to this policy |
| 14-16 June | Appeals are forwarded to the BDF Appeals Panel according to the timelines and process set out in Appendix 1 to this Policy  |
| 17th – 18th June | The BDF Appeals Panel notifies athletes of the appeal outcome Nomination Panel to re-sit - if required - to reconsider nominations in light of any appeals made and the outcome communicated from the BDF Appeals Panel |
| 18th June | Nominations forwarded to the BPA for formal ratification and Paralympics GB selection  |
| 21 June 2021 | NPCs to confirm the use of allocated slots to IWAS  |
| 28 June 2021 | IWAS confirms the reallocation of unused qualification slots. NPC to confirm use of any reallocated slots by Great Britain prior to 2nd August.  |
| 2 August 2021 | Deadline for Tokyo 2020 Paralympic Organising Committee to receive Sport Entries |

**4. De-Selection and Replacements**

1. The BPA will make formal entries with the Tokyo Paralympic Games Organising Committee at the Delegation Registration Meeting (DRM) on 14th August 2021. Prior to the date of the DRM, BDF retains the right to deselect an athlete selected pursuant to this Policy, in the event that (a) such athlete(s) is in breach or has failed to adhere to all provisions within this policy or any agreement referred to in this policy (i.e. the BPA Team Member’s Agreement or the BDF Code of Conduct); or (b) the athlete(s) suffers an injury or illness which leads the Nomination Panel to conclude in their reasonable opinion that such athlete(s) will not be able to perform to the best of their ability at the Games or (c) the athlete is unable to comply with medical and Covid-19 regulations that enable entry to Japan (d) a nomination selection is revised following a successful nomination and/or selection appeal

1. Selected athletes must demonstrate an uncompromised commitment to training preparation for peak performance at the Games, as determined by their Coach and approved by the Performance Manager. If for any reason an athlete is unable or unwilling to fulfil this commitment, they may be withdrawn from the team following consultation with the BPA.
2. Selected athletes are expected to attend all programmed activities in preparation camps on a full-time basis. No athletes are permitted to undertake any activities that are not directly relevant to the preparation camp, this includes external media, sponsorship or social activities, without the permission of BDF. Failure to attend could result in non-selection or withdrawal from the team following consultation with the BPA.
3. The nomination of a replacement athlete must also conform to the selection policy.
4. After the DRM has been completed, de-selection and selection of a replacement athlete is only allowed in accordance with the IPC’s Late Athlete Replacement Policy (or any revised or amended IPC policy dealing with athlete replacement). This primarily provides for replacement in the case of injury and/or illness.

**5. Appeals Process**

1. a)  Prior to DRM, any athletes may appeal their non-nomination or de-selection under this Policy after being notified of any selection decision according to the procedure laid out in the **“BDF Tokyo Paralympic Games Selection and Forward Nomination Appeals Procedure” – see Appendix 1.** Athletes wishing to seek advice regarding the appeals process are advised to contact the British Athletes Commission (BAC) at www.britishathletes.org.
2. b)  In the event that the BPA refuses to ratify a nomination by the Nomination Panel, the athlete may appeal this decision in accordance with any relevant BPA’s appeals policy which can be provided upon request.
3. **Confidentiality**

All athletes, officials, panel members or any other persons connected with any selection decision shall keep all matters relating to any selection decisions confidential and shall not announce any selection decisions until after the final team is announced by the BPA.

Personal data collected as part of this process will be managed in line with the BDF’s Privacy Policy. For more information, please contact the BDF @britishdisabilityfencing.co.uk

1. **Amendments**

If any unforeseen circumstance makes any provision of this Policy unworkable or ineffective to promote the purpose of the Policy, the BDF will be entitled to amend this policy so that the aims can be secured. Any amended version will be made available on the BDF website.

**Appendix One** – BDF Tokyo Paralympic Games Selection and forward Nomination Appeals Procedure

The definitions used in this Appendix shall be given the meanings ascribed to them in the preceding BDF selection policy

1. Application of the appeal procedures

* 1. The BDF is the governing body for the sport of Wheelchair Fencing in Great Britain and, as the primary member of the British Paralympic Association (BPA), has responsibility for managing the selection and forward nomination of athletes and support staff for inclusion in the ParalympicsGB team, selected by the BPA, for the Tokyo Paralympic Games.
	2. In particular, through the implementation of a selection process as set down in the Policy, the Nomination Panel will submit to the BPA a list of athletes (nominees) that it feels meet the selection and eligibility criteria and are best placed to achieve the sport’s World Class Programme medal target for the Tokyo Paralympic Games.
	3. The procedures are binding on the BDF and/or the Tokyo Paralympic Nomination Panel, and on each athlete who is seeking selection and onward nomination to the BPA (the parties).
	4. Athletes are entitled to appeal the selection and onward nomination decision by lodging a written appeal with the BDF Appeals Panel upon receipt of the selection and onward nomination decision by the Nomination Panel. This will be through the submission of the athlete’s grounds for appeal and submission of supporting documents.
	5. For the avoidance of doubt, the athlete cannot appeal simply because he or she thinks that they should have been selected over another athlete who was selected. This is not a valid ground for appeal. Please see section 2 below entitled ‘Grounds for Appeal’ for further detail.
	6. This is the only applicable appeals procedure for BDF Tokyo Paralympic Games nominations and forms the entire agreement between the athlete and the BDF as to how the selection and onward nomination decisions are to be challenged. The Parties will treat all decisions under these appeal procedures as final and binding and the parties will not bring any appeal or challenge to any matter falling under the jurisdiction of these appeal procedures or any decision made under these appeals procedures before any court of law or other dispute resolution body.

2. Grounds for Appeal

2.1 These appeal procedures (“the Procedures”) shall only apply to the Tokyo selection and onward nomination decision for the Tokyo Paralympic Games ( “ a Tokyo decision”)

2.2 The grounds upon which a Tokyo Decision may be appealed are limited to the following;

2.2.1 There has been a serious failure by the Tokyo Paralympic Nomination Panel to follow the BDF Paralympic Games Selection Policy (i.e., a procedural failure or defect) or.

 2.2.2 The Tokyo Decision has been reached on an error of fact

or;

 2.2.3 The Tokyo Decision is one that no reasonable decision maker could have reached.

2.3 Before bringing an appeal, athletes should carefully consider whether the grounds of appeal have been made out. The right to appeal a Tokyo Decision is provided on the above grounds only and must not be seen as an opportunity to dispute the opinion of the Nomination Panel where they have followed the proper procedure in respect of selection and eligibility criteria. In reaching the decision the Tokyo Nomination Panel are acting as experts, and the athletes agree that in so doing it exercises judgement and discretion which are not in themselves capable of challenge.

2.4 If an athlete fails to set out the grounds on which he/she wishes to appeal, the BDF Appeals Panel reserve the right to reject the

appeal outright.

3. How to Appeal

3.1 An athlete who wishes to appeal a Tokyo Decision should submit their case in writing (Notice of Appeal) and any supporting documents including the precise manner in which the athlete alleges the selection and onward nomination procedure has not been followed to the BDF Appeals Panel in the first instance by the 13thJune at 0900 at the latest (“the Deadline”). The Notice of Appeal must be sent to the BDF Appeals Panel in accordance with the instructions set out in section 6 below.

 The Notice of Appeal **must** set out the reasons why it is said one or more of the grounds of appeal arise and **must** be submitted by the Deadline.

3.2 If the athlete fails to submit the Notice of Appeal by the Deadline, then they will automatically lose their right of appeal under these Procedures, unless in the opinion of the BDF Appeals Panel (acting reasonably) there were good reasons for the submission to be made outside the time limit. Subject to the requirement to act reasonably, this decision is at the BDF Appeal Panel’s discretion and not open to challenge.

3.3 The BDF Appeals Panel will consider the appealing athlete’s case and will notify the athlete of its decision, including the reasons for the decision within **5 working days** from the date of the BDF Appeals Panel receiving the Notice of Appeal.

1. Decisions and powers of the BDF Appeals Panel

4.1 The BDF Appeals Panel will be chaired by the Chairperson of the BDF and one other person who is considered by the BDF to be suitably qualified and capable of making an independent assessment of the matters in dispute.

4.2  The BDF Appeals Panel will not include anybody that was involved in any way in the original selection procedure, or any person related to or otherwise connected to them or the Athlete.

4.3 The BDF Appeals Panel will be entitled to conduct the Appeal Hearing in such a way as they think fit including based solely on written submissions. In so doing the BDF Appeals Panel will observe the requirements of natural justice but will not otherwise be bound by any particular rules of evidence or procedure.

4.4 The BDF Appeals Panel may refuse to hear the Appeal on the basis that none of the Grounds for Appeal as defined in section 3 above has been made out. Where this occurs, the BDF Appeals Panel may provide the appealing athlete with brief reasons for the decision.

 In all other Appeal matters, the BDF Appeals Panel may decide:

4.4.1 To set aside the Tokyo Decision as it was based on an error of fact or procedurally flawed and remit the matter of the athlete’s selection and nomination back to the Nomination Panel for their consideration: or

 4.4.2 To uphold the Tokyo Decision and to reject the Appeal

 4.5 The BDF Appeals Panel reserves the right to charge the athlete appealing an administration fee of up to £100 (payable to the BDF) as a contribution towards the administrative costs of the appeal. This sum may be refunded to the athlete if the BDF Appeals Panel considers it is appropriate to do so.

4.6 Save that the time limit for commencing this Procedure by the athlete shall be strictly enforced, where any party deviates from any requirement of this Procedure it shall not invalidate the Procedures or the decision of the BDF Appeals Panel, unless there is a clear and significant risk that the deviation has affected the decision of the BDF Appeals Panel.

4.7 The BDF Appeals Panel may also make recommendations for the future revision and/or smoother execution of the BDF Selection and these appeals procedures by the BDF.

4.8 The BDF, the athlete and all members of the BDF Appeals Panel are under an obligation of confidentiality in respect of any proceedings under this Procedure. Save as permitted under this Procedure none of the Parties will make any public statement or disclosure of the contents of the Notice of Appeal or any other matter referred to by any of the Parties during the course of the Procedure.

5. Amendment

 5.1 The BDF reserves the right to amend these Procedures at its sole discretion.

6. **Appeal Correspondence**

 6.1 Any notification, correspondence or any other document submitted under these Procedures shall be sent in writing by electronic mail and such documents shall be deemed to have been received by the intended recipient 48 hours after sending when sent

 6.2 Any notification or correspondence for the BDF Appeals Panel shall be marked for the attention of the BDF Appeals Panel and sent to Victoria Pape at: Victoria.Pape@eis2win.co.uk

Table 1 – Qualification, Selection and Appeal Timelines

|  |  |
| --- | --- |
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