

Appeals against funding decisions

Grounds for appeal

The grounds for appeal are limited. We are only able to consider appeals if:

- You believe that we did not follow our procedure or that we did not reasonably apply our procedures
- You can show that we have misunderstood a significant part of your application or the material you have submitted to us relating to the reduction, termination or alteration of the conditions of an existing award agreement
- You can show that we did not take account of relevant information or considered irrelevant information
- You believe the decision to be irrational, or disproportionate to any shortcomings in the application for funding or in relation to the breach of an award agreement

It is extremely unlikely that we will consider an appeal on any other grounds.

We will not consider an appeal which seeks to argue the merits of the decision itself only the integrity of the decision-making process as set out above.

Appealing against a funding decision if you are acting on behalf of a Non Governing Body (NGB)

Stage one

To make an appeal you must write to Sport England's Director of Sport within 21 days of receiving the decision letter and/or email informing you of our decision.

Within three working days of receiving your appeal form we will write to you or telephone you to confirm we have received it. We will also tell you how you can contact the person who is dealing with your appeal and when you can expect to receive a reply.

The Director of Sport will assess all of the available information in light of your reasons for making the appeal. The Sport England Main Board will review their decision.

If your appeal is upheld, your funding application will be re-assessed by a new assessor and a fresh decision will be made by Sport England on the outcome. You

must accept that if your appeal is upheld and your application is re-assessed, this does not necessarily mean that an award will be offered.

The Director of Sport will write to you to tell you the outcome of the review, usually within twenty working days. If we need more time to consider your appeal we will write to you to explain why and tell you when you can expect to receive it.

Stage two

If you have appealed against a funding decision, and you are not satisfied with the response at Stage two then you can write to Sport Resolutions. The grounds of appeal at Stage two are restricted as they are for Stage one.

Sport Resolutions are unbiased and will hear both sides relating to the appeal. Sport Resolutions are not part of our organisation and their investigations and recommendations are independent. There is no charge to the complainant for using the services of these bodies. Sport Resolutions will contact you within five working days of receipt of your complaint.

Sport Resolutions may recommend ways for us to put things right, and how to prevent a similar situation in future. Sport Resolutions will report within three months, and usually more quickly.

We will normally make any changes Sport Resolutions recommends to our current procedures as quickly as possible.

In the case of an appeal to Sport Resolutions, the appeal process to be followed is as set out in the Sport Resolutions Arbitration Rules ('the Rules'), a copy of which will be sent to the appealing NGB upon receipt by Sport Resolutions of its Notice of Appeal. Rule 3 of the Rules shall not apply to any appeal made under this Complaints Procedure. The Rules can also be viewed at:

<https://www.sportresolutions.com/services/arbitration>

In the case of any inconsistency between this Complaints Procedure and the Rules, then this Complaints Procedure shall prevail.

For the avoidance of doubt, an appeal to Sport Resolutions will be considered on the papers. However, the Panel may agree to hear evidence or legal or other submission in a specific case, where it believes that to be appropriate, including

where good cause is shown for making an exception to the general rule. For example, where the appeal turns on a factual point that is in dispute and an oral hearing is considered necessary to enable the Panel to make a sound decision on that particular point. The Panel appointed by Sport Resolutions will consist of three individuals from the Sport Resolutions Panel of Arbitrators, with the Chair being legally qualified.

Sport Resolutions cannot consider appeals that have not gone through the procedure set out in this document. If you want Sport Resolutions to consider your complaint, you must write to them, or send them an audio tape or CD, within four weeks of receiving our reply at Stage two.

Sport Resolutions cannot reverse funding decisions or make comments or changes to our legal responsibilities and policies on awarding grants.

The contact details for Sport Resolutions are shown below

Sport Resolutions
1 Salisbury Square
London
EC4Y 8AE 3

Appealing against a funding organisation if you are acting on behalf of any other type of sports organisation

Stage one

To make an appeal you must obtain an appeal form from the case assessor and send it to Sport England's Appeals Adjudicator within 21 days of receiving the decision letter and/or email informing you of our decision.

Within three working days of receiving your appeal form we will write to you or telephone you to confirm we have received it. We will also tell you how you can contact the person who is dealing with your appeal and when you can expect to receive a reply.

The Appeals Adjudicator will assess all of the available information in light of your reasons for making the appeal. The Strategic Lead will review their decision for Lottery and Grants as will Sport England's Chief Operating Officer.

If your appeal is upheld, your funding application will be re-assessed by a new assessor and a fresh decision will be made by Sport England on the outcome. You must accept that if your appeal is upheld and your application is re-assessed, this does not necessarily mean that an award will be offered.

The Appeals Adjudicator will write to you to tell you the outcome of the review, usually within twenty working days. If we need more time to consider your appeal we will write to you to explain why and tell you when you can expect to receive it.

Stage two

If you have appealed against a funding decision, and you are not satisfied with the response at Stage 2 then you can ask for an independent review at Stage 2 of our procedure. The grounds of appeal at Stage 2 are restricted as they are for Stage 1.

If you wish to progress to stage 2 please contact the Appeals Adjudicator and we will make the arrangements for your case to be independently reviewed.

Policy last reviewed: September 2018.