

UNDERSTANDING VOLLEYBALL BC'S APPEAL POLICY

What is this policy for?

- An “appeal” is a formal request to change a decision that has been made by Volleyball BC. This policy is meant to make sure appeals of decisions by Volleyball BC are fair, affordable, and dealt with quickly.

Who does this policy apply to?

- This policy applies to all members and participants in Volleyball BC programs and activities.
- This includes employees, contractors, athletes, volleyball clubs, coaches, staff, referees, volunteers, managers, administrators, committee members, parents, guardians, spectators, and directors.

When does this policy apply?

- The policy applies to everyone affected by a decision of Volleyball BC provided there are valid reasons for appeal:

<p>The policy will apply to decisions regarding:</p> <ul style="list-style-type: none"> ○ Eligibility and selection ○ Carding Program nominations (this relates to federal or provincial programs that provide assistance to high-performance athletes) ○ Conflict of interest ○ Discipline ○ Membership 	<p>The policy will not apply to decisions regarding:</p> <ul style="list-style-type: none"> ○ Doping offenses ○ Rules of the sport ○ Decisions made by organisations other than Volleyball BC ○ Standards used to choose members for a team ○ Budgeting ○ Appointments of individuals to Volleyball BC as staff, contractors, Board, or Committee members ○ Business-related issues where there is already a separate procedure for disputes.
---	--

- A decision cannot be appealed just because you do not agree with it. There must be valid reasons. These valid reasons include if the person or group who made the decision:
 - Made a decision they did not have the power or right to make.
 - Did not follow their own procedures or rules.
 - Made a decision that was biased, meaning they were not neutral and did not fairly consider other viewpoints.

You must show that it is more likely than not that the person or group made one of these errors and that this had a significant impact on the decision.

How do I ask to appeal a decision?

- You must contact Volleyball BC within 7 business days of being notified of the decision that you would like to appeal.
- You must provide the following information to Volleyball BC in writing:

<p>a) Notice of the intention to Appeal</p>	<p>This is a formal notification indicating that you plan to appeal a decision.</p>
---	---

b) Contact information and status of the Appellant	This includes your contact details and your role related to the appeal
c) Name of the Respondent and any affected parties, when known to the Appellant	This is the name of the person who should respond to the appeal and the names of anyone else who might be impacted by the decision being appealed (if you know them).
d) Date the Appellant was advised of the decision being appealed	This is the date when you were told about the decision you want to appeal.
e) A copy of the decision being appealed, or description of decision if written document is not available	This is a copy of the written decision you would like to appeal. If there is no written decision, you must describe the decision as accurately as possible.
f) Grounds for the Appeal	These are the reasons why you believes the decision should be reconsidered or changed.
g) Detailed reasons for the Appeal	This involves providing thorough explanations for each reason you believe the decision should be reconsidered or changed.
h) All evidence that supports these grounds	This includes any documents, testimonies, or other forms of evidence that back up the reasons you have provided for the appeal.
i) Requested remedy or remedies	This is what you hope to achieve through the appeal, such as reversing the decision, modifying it, or seeking compensation.
j) You must provide a fee of \$250 to Volleyball BC when you submit the appeal. If your appeal is successful, you will receive this money back.	

- This information can be sent in writing, in-person, or by email, fax, courier or special delivery.
CEO Contact: egibbons@volleyballbc.org
Address: Volleyball BC, 7564 Barnet Highway, Burnaby, BC V5A 1E7
- If you wish to appeal after 7 business days of finding out about a decision, you can contact Volleyball BC and ask for permission but it will be up to the Appeal Manager to decide if they will allow this.

What happens once I submit an appeal?

- Your appeal will be sent to an Appeal Manager. An “Appeal Manager” is an individual that Volleyball BC chooses to oversee the appeals process. This person could be a staff member, a committee member, a volunteer, a director, or an independent person with no ties to the organization. The main responsibilities of the Appeal Manager are:
 - Making sure the appeal process is fair for everyone involved
 - Making sure all the deadlines and time limits in the process are followed
 - Making decisions based on the rules given in this policy
- The Appeal Manager may contact you to ask if there are other ways to resolve the appeal through negotiation or mediation (also known as “alternative dispute resolution”) rather than going through the

appeal process. If you agree to this, you will be refunded the \$250 administration fee.

- The Appeal Manager will review the appeal and:
 - Check that the appeal fits within the rules of the Appeal Policy
 - Check if the appeal was submitted on time
 - Decide if there are enough valid reasons for the appeal.
- If the Appeal Manager rejects the appeal because it does not have enough valid reasons, or it was submitted late, or does not fit the rules of this policy, you will be told this decision and given the reasons in writing. This decision cannot be appealed.

What is the process if my appeal is accepted?

- The Appeal Manager will appoint an Appeal Panel which is made up of 1 person or 3 people to hear the appeal.
- The Appeal Manager will also speak with Volleyball BC and decide who is an affected party. An “affected party” is any person or organisation that might be impacted by a decision made in the appeal process.
- A “hearing” is when the affected parties come together to present information to the Appeal Panel who are the person/people who are responsible for deciding on the outcome. An appeal hearing may be in-person, by telephone, by reviewing submitted documents, or in virtual format. The Appeal Manager is responsible for deciding the format and this cannot be challenged or appealed.
- The parties will be told the day, time, and place of the hearing. The hearing will take place within 14 working days of the appeal being received by the CEO. Everyone will get at least 3 working days’ notice of when, where and how the hearing will happen. If you are a party in a hearing, you can decide not to participate or attend but the hearing will still proceed.
- Copies of any written documents which the parties want considered will be provided to everyone before the hearing.
- The parties may bring a representative, advisor, or legal counsel at their own expense if they would like.
- The Appeal Panel can request that other individuals participate in the hearing. They can also decide what information is allowed for consideration and obtain independent advice if they like.
- Decisions will be made by a majority vote. The Appeal Panel will make a decision within 7 working days of the hearing. They may decide to:
 - Reject the appeal and keep the original decision as it is
 - Accept the appeal and send the issue back to the original decision-maker to decide again
 - Accept the appeal and change the original decision
- A copy of the written decision with reasons will be given to everyone involved. The decision will be public unless the Appeal Panel decides otherwise.

Important information

- The Appeal Manager or Appeal Panel can change the timelines of the process if they believe it will help resolve the issue in a timely way.

- The appeal process is confidential, involving only the directly involved parties. No one is allowed to share information with people who are not involved until a decision is made.
- The decision made by the Appeal Panel is final and must be accepted by everyone involved. However, any party can request a review of the decision following the rules of the [Sport Dispute Resolution Centre of Canada \(SDRCC\)](#)

Note: *This document is designed to explain Volleyball BC's [Appeals Policy](#) and process. There may be details in the Policy that are not contained in this document. In the event of any difference between the two documents, the content of the Appeals Policy takes priority.*