



# Appeals Policy

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# Introduction

The Chartered Institute for the Management of Sport and Physical Activity (CIMSPA) is the professional development body for the UK's sport and physical activity workforce. CIMSPA's role is to support, develop and enable all CIMSPA members and partners to succeed in the sport and physical activity sector, ensuring that members receive excellent education and training to facilitate a fulfilling career in the sector. As the champions of professionalism and integrity, CIMSPA aims to provide high-quality standards in all its activities and services.

## Scope

CIMSPA has established procedures for raising an appeal against a decision that CIMSPA has made pertaining to a member, partner, or its own practices.

These decisions include:

- Provision of chartered status.
- Sanctions, outcomes and remedial actions provided by the Disciplinary Panel or the internal meeting panel as a result of investigations into complaints or reports of malpractice and maladministration.
- Application for partnership or membership.
- Application to change membership category.
- Decisions made by CIMSPA regarding education product endorsement
- Outcomes from quality assurance visits conducted on a partner.
- Decision not to uphold complaints following an investigation.
- Decisions made by CIMSPA to investigate or not investigate:
  - A complaint,
  - A report of malpractice,
  - A report of maladministration.

CIMSPA will only make decisions pertaining to members, partners or its own practices and does not investigate individuals or organisations who do not hold a membership, partnership or are not recognised as operating on behalf of the institute.

## Purpose

As CIMSPA operates for the benefit of the sport and physical sector, it aims to ensure that members, partners, customers and individuals who engage with the sport and physical activity sector (referred to for the purpose of this policy as 'stakeholders') receive fair and consistent consideration and where this is not achieved, provide a mechanism to rectify any errors that may occur and improve CIMSPA's policy, procedures, or systems.

This document outlines the grounds for which stakeholders are able to raise an appeal to CIMSPA and the procedure a stakeholder must follow for raising an appeal.

## Policy

### Grounds for Submitting an Appeal

Stakeholders wishing to submit an appeal to CIMSPA, must be able to provide sufficient evidence to prove valid grounds for an appeal, in at least one of the following areas:

- Failure to follow due process or other procedural defect in CIMSPA operations.
- Failure to follow due process or procedural defect in the issuance of outcomes, sanctions and remedial actions either by the disciplinary panel or the internal meeting, as a result of investigations into complaints or reports of malpractice and maladministration.
- Failure to follow due process or other procedural defect in the issuance of an outcome of a chartered application.

- Failure to follow due process or other procedural defect in reaching a decision on a membership or partnership application.
- Failure to follow due process or other procedural defect in CIMSPA's intention to investigate a stakeholder's complaint, report of malpractice, or maladministration.
- Failure to follow due process or other procedural defect in outcomes from quality assurance visits.
- Failure to follow due process or other procedural defect in the issuance of a decision on education product endorsement.

All appeal submissions will be reviewed, and it is at CIMSPA's discretion to decide if valid grounds for an appeal have or have not been met in line with this policy.

## **Submitting an Appeal**

To submit an appeal the stakeholder must complete the online form found [here](#) within five working days of receiving formal communication of the decision made by CIMSPA.

CIMSPA will capture the following information:

- Your full name
- Your contact details (e.g. telephone, email etc.)
- What the appeal is in relation to (e.g. provision of chartered status, sanctions etc.)
- Reason for the appeal (e.g. failure to follow due process etc.)
- Evidence in support of valid grounds for the appeal
- Further information that will aid CIMSPA in their understanding of the appeal.

## **Appeal Review**

CIMSPA will acknowledge receipt of the appeal within two working days. Within five working days of acknowledging receipt of the appeal, an independent member of the CIMSPA executive team will review the appeal submission and determine if valid grounds for an appeal have been met.

In circumstances where an appeal submission is deemed to have not provided valid grounds for investigation, in line with this policy, CIMSPA will notify the stakeholder of this within five working days of acknowledging receipt of the appeal and provide reasons as to how the decision was made.

If the appeal is deemed to have been made with valid grounds for investigation, the stakeholder will be notified within five working days from acknowledging receipt of the appeal, and the case will be passed to the relevant Appeal Panel for investigation.

## **The Appeals Process**

If the appeal is deemed to have been made with valid grounds for investigation:

### **Tier One and Two Appeals**

Tier One and Tier Two appeals will undergo an independent internal review by the Governance and Compliance team within CIMSPA. Upon meeting the specified requirements, the appeal will be conducted by the Head of Governance and a member of the Senior Management Team, ensuring adherence to this policy.

### **Tier Three Appeals**

Tier Three Appeals will undergo a review with the Disciplinary Panel. Upon meeting the specified requirements, the appeal will be conducted by the Disciplinary Panel, ensuring adherence to this policy.

### **Tier Four Appeals**

Tier Four Appeals will undergo a review with the Appeals Panel. Upon meeting the specified requirements, the appeal will be conducted by the Appeals Panel, ensuring adherence to this policy.

The panel, designated to handle appeals will communicate with stakeholders through an independent member of the CIMSPA executive team if any communication is required during the investigation process.

The CIMSPA Appeals Panel aims to complete all investigations and provide a formal outcome response, within 20 working days from the investigation notification, however, to allow thorough investigations and fair and consistent approaches to appeals, in some

circumstances this may not be achievable. Should the delegated Panel require longer than 20 working days for investigation, CIMSPA will communicate this to the stakeholder at the earliest convenience. The formal outcome response issued by the delegated Panel will be communicated to the stakeholder by email and will include (but is not limited to) the following information:

- Findings from the investigation
- A cross-reference against the appeal submission and matters raised in support of the appeal
- Timeline of activity
- The conclusion reached by the delegated Panel. The conclusion will either be:
  - Appeal Upheld with acknowledgement of where the adherence to CIMSPA's policies and procedures were breached with suitable remedial actions
  - Appeal Upheld with acknowledgement of where failure to allow for due process has been found and suitable remedial actions
  - Appeal Not Upheld with evidence of where policies and procedures were followed and due process achieved, and an explanation of why the original decision will remain.
- Information aimed at aiding the understanding of how the conclusion was reached.
- Contact details for the independent member of the CIMSPA executive team if the stakeholder would like to discuss the investigation further.
- Details on how to submit an appeal escalation.

If the stakeholder believes the delegated Panel have not followed the process in reaching the formal outcome the stakeholder should refer to the Appeal Escalation procedure.

## **Appeals Escalation**

Stakeholders wishing to submit an appeal against a decision of the delegated Panel must be able to provide sufficient evidence to prove valid grounds for an escalated appeal, in the following area:

- Failure to follow due process or other procedural defect in the investigation of an appeal by the delegated Panel.

## **Grounds for Submitting an Appeal Escalation**

The appeal escalation procedure may only be used by stakeholders who have previously submitted an appeal to CIMSPA that has been investigated by the relevant CIMSPA Panel. If the stakeholder wishes to submit an appeal escalation following receipt of the formal outcome from the delegated Panel, the stakeholder must contact CIMSPA's independent member of the CIMSPA executive team (details can be found on the formal response from CIMSPA) to provide notice of this.

## **Submitting an Appeal Escalation**

To submit an appeal escalation the stakeholder must complete the online form found within their formal outcome response within five working days of receiving formal outcome to submit the appeal escalation.

CIMSPA will capture the following information for escalated appeals:

- Your full name
- Your contact details (e.g. telephone, email etc.)
- What the escalated appeal is in relation to (e.g. provision of chartered status, sanctions etc.)
- Reason for the escalated appeal (e.g. failure to follow due process etc.)
- Evidence in support of valid grounds for the escalated appeal
- Further information that will aid CIMSPA in their understanding of the escalated appeal.

## **Appeal Escalation Review**

CIMSPA will acknowledge receipt of the escalated appeal within two working days. Within five working days of acknowledging receipt of the escalated appeal, the relevant panel will



review the escalated appeal submission and determine if valid grounds for an escalated appeal have been met.

In circumstances where an escalated appeal submission is deemed to not have valid grounds for investigation, in line with this policy, the relevant panel will notify the stakeholder of this within five working days of acknowledging receipt of the escalated appeal and provide reasons as to how the decision was made. At this point there are no further routes for escalation and the appeal will be closed.

If the escalated appeal is deemed to have been made with valid grounds for investigation, the stakeholder will be notified within five working days from acknowledging receipt of the escalated appeal, and the case will be investigated by the relevant panel.

The escalation of an appeal will follow the natural escalation path set out below;

- Appeal heard by the CIMSPA Internal Panel to be escalated to the Disciplinary Panel
- Appeal heard by the Disciplinary Panel to be escalated to the Appeals Panel
- Appeal heard by the Appeals Panel to be escalated to the Appeals Escalation Panel

The Appeals Escalation Panel will comprise of CIMSPA's Chief Executive Officer and Chair of the Board of Trustees.

The relevant panel will liaise with the stakeholder, should any communication be required during the investigation. CIMSPA aims to complete all investigations and provide a formal outcome response, within 20 working days of notification that the investigation will process, however, to allow thorough investigations and fair and consistent approaches to appeals, in some circumstances this may not be achievable. Should the relevant panel require longer than 20 working days for investigation, CIMSPA will communicate this to the stakeholder at the earliest convenience. The formal outcome response issued by the relevant panel will be communicated to the stakeholder by email and will include (but is not limited to) the following information:

- Findings from the investigation
- A cross-reference against the appeal submission and matters raised in support of the appeal
- Timeline of activity
- The conclusion reached by the relevant Panel. The conclusion will either be:

- Escalated Appeal Upheld with acknowledgement of where the adherence to CIMSPA’s policies and procedures were breached by the relevant Panel with suitable remedial actions.
  - Escalated Appeal Upheld with acknowledgement of where failure to allow for due process has been found and suitable remedial actions.
  - Escalated Appeal Not Upheld with evidence of where policies and procedures were followed and an explanation of why the original decision will be upheld.
- Information aimed at aiding the understanding of how the conclusion was reached.

At this point, there are no further routes for escalation and the appeal will be closed.

## Review

The Appeals Procedure will be reviewed annually by CIMSPA with the next review in May 2025, unless changes in policy, governance, or other circumstances, require a review prior to this date. The current copy of the Appeals Procedure will be made publicly available on CIMSPA’s website.



E [info@cimsa.co.uk](mailto:info@cimsa.co.uk)

T 03438 360200

**Chartered Institute for the Management  
of Sport and Physical Activity,**

SportPark,

Loughborough University,

3 Oakwood Drive,

Loughborough,

Leics. LE11 3QF

**[cimsa.co.uk](http://cimsa.co.uk)**

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