



New South Wales Badminton Association Incorporated

SELECTION POLICY

Adopted by the Badminton NSW Board - 21 September 2009

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BADMINTON NEW SOUTH WALES (“BNSW”)

SELECTION POLICY

1. **PHILOSOPHY**

- (a) The aim of the BNSW Selection Policy (“**Policy**”) is to achieve the respective objective of BNSW for the relevant New South Wales State Team to be selected. The Policy is to select the best capable players for the State of New South Wales. The Policy applies to athletes. Coaches and team officials are covered separately.

Refer to **Annexure 1** for the Under 19 Team Application Form.
 Annexure 2 for the Under 17 Team Application Form.
 Annexure 3 for the Under 15 Team Application Form.
 Annexure 4 for the Under 13 Team Application Form.

- (b) This Policy remains in force until revoked by BNSW.

2. **INTERPRETATION**

- (a) Unless the context otherwise requires, terms used in this Policy shall have the same meaning as in Badminton Australia’s Rules and/or Regulations.
- (b) No particular selection criteria shall be weighted more or less significantly by reason only of the order in which that criteria appears in this Policy.

3. **SELECTION**

(a) **State Selectors (Seniors and Juniors)**

For the selection of a particular State team, BNSW shall appoint, in its sole discretion, a panel of up to five but no less than three State Selectors on the basis of previous national or international experience or involvement in BNSW competitions or programs. Where any of the Selectors becomes or is unable to meet his/her responsibilities under this policy, BNSW will appoint a replacement Selector.

(b) **Eligibility**

In order to be eligible for selection, all athletes must be residents in the state of New South Wales in the last six months (up to the date of the respective tournaments).

(c) **Selection criteria**

Selection criteria (“Criteria”) include the following:

- (i) satisfaction of, or the ability within the relevant time period to satisfy, the applicable eligibility criteria in respect of the squad, team, event or other activity under consideration;
- (ii) performances at National Carnivals and at the approved State competitions;
- (iii) meets the specific Selection Criteria against which selections are being considered;
- (iv) consistency in standards of behaviour conducive to supporting the goals of the

- Team and overall objectives of BNSW;
- (v) current state, national and international performances including performance over the preceding twelve month period;
 - (vi) current Australian ranking (if any);
 - (vii) current international ranking (if any);
 - (viii) (where relevant) the participant's current level of skill and physical fitness;
 - (ix) (where relevant) any current or potential injury or condition which may impair, inhibit or prevent the participant's performance to the requisite level;
 - (x) the potential of the participant to successfully achieve the objectives of this Policy and of BNSW;
 - (xi) any other factor considered relevant in the circumstances.

In considering the Criteria the Selectors may in their discretion give weight to extenuating circumstances.

(d) **Notification to Participants**

- (i) This Policy shall be available upon request to all participants. The Policy shall also be available on the BNSW website.
- (ii) BNSW shall have no general responsibility to give notice of this Policy or Criteria to individual persons, other than in accordance with this Policy. However BNSW may do so in its sole discretion.

(e) **Selection Procedure**

- (i) The Selectors shall select such squads, teams or individuals as are required, in accordance with such state or national time or other constraints or requirements as are required or appropriate.
- (ii) The Selectors shall have total discretion in selection and may have regard to any one or more of the Criteria in any selection process. Other than the philosophical object as stated in **clause 1(a)**, the Selectors need not have regard to any of the Criteria.
- (iii) A unanimous decision of Selectors is required. Subject to this Policy, the decision of the Selectors shall be final. No reasons need be given for any selection or other decision of the Selectors. This shall not prevent, limit or restrict the Selectors changing the selection of any squad, team, individual or official at any time in their sole discretion, having regard to all the circumstances.
- (iv) If the Selectors are unable to reach a unanimous decision within a reasonable time and have advised the BNSW President of that situation, the BNSW Board may, in the interests of the sport and athletes, make the relevant selection decision as it sees fit and will ratify that decision. The normal appeals process of the Selection Policy applies to a decision of the BNSW Board made under this clause.
- (v) The Selectors, in consultation with BNSW Board or advised by BNSW Board, may from time to time in their discretion select a person who is not otherwise under consideration. This may occur in circumstances such as illness, newly obtained citizenship or otherwise.
- (vi) Unless expressly requested by the Selectors, athletes have no right to make submissions or representations to, or appear before, the Selectors. Any

right or claim to natural justice in this regard is expressly excluded, such right being preserved in the appeal process under **clause 4**.

- (vii) Selected teams / squads will be ratified by the BNSW Board.
- (viii) Responsibility of the Selectors ceases prior to the commencement of the event for which the team has been selected.

(f) **Notification to Relevant Parties**

- (i) Subject to constraints imposed upon BNSW by third parties, individuals selected by the Selectors ("**Selected Parties**") shall be notified of their selection as soon as practicable after their individual selection or finalisation of the relevant squad or team or individual or official position(s).
- (ii) Notification will be made by the President of BNSW, or any other BNSW officer nominated by BNSW. Public notification of the Selected Parties may be made by the President only after all Selected Parties have been notified that they have been selected.
- (iii) Notification of the Selected Parties shall also be given to relevant parties by BNSW. Following notification of the Selected Parties by BNSW, BNSW may make a public announcement of the relevant Selected Parties.

(g) **Removal from a selected squad or team**

Any participant who:

- breaches or fails to observe this Policy;
- by reason of illness or injury is unable to perform to the required standard in the opinion of the Selectors or the Team Coach (after having received advice from a medical practitioner);
- breaches or fails to fulfill a requirement of the Badminton Australia Anti-Doping Policy;
- breaches or fails to comply, fulfill and observe the requirements in the NSW State team agreement;

is ineligible for selection to or continued membership of the NSW state squad or NSW state team as the case may be.

Any participant may be removed from a NSW state team or squad by the Selectors in consultation with the Team Coach (Senior and/or Junior) as the circumstances may require including where the participant has failed to sustain his or her performance and attitude to a satisfactory level, provided that the required performance levels had first been discussed with the participant and the participant had been given the opportunity to attain those performance levels.

4. **APPEAL**

(a) **Appeal**

An aggrieved person may appeal against a failure of the Selectors (or the Board under clause 3(e) (iv)) to comply with the procedures set down in this Policy. That is, an appeal may only be made on procedural grounds not on the merits of a particular selection decision. Any appeal under this clause will proceed in accordance with this clause.

(b) **Procedure for Appeal**

- (i) Any appeal against a decision of the Selectors must be made within 7 days of any public announcement under **clause 3(f) (ii)**.
- (ii) The appeal must be lodged in writing with the BNSW President setting out:
 - (A). the decision of the Selectors (or the BNSW Board) in question;
 - (B). the ground on which the appeal is made; and
 - (C). the reasons or circumstances supporting the alleged ground of appeal;and must be accompanied by a non refundable appeal fee of \$200.
- (iii) Nothing in this Policy prevents the withdrawal of an appeal at any time in writing
- (iv) On receipt of an appeal in accordance with this Policy, the President will forward the appeal documents to the Selection Review Panel as soon as the Panel is formed.

(c) **Rules of Selection Review Panel**

- (i) The Selection Review Panel shall be constituted by any three persons available to hear the appeal and who are appointed by the BNSW Board to such role. The Selection Review Panel must include a person who is suitably qualified who will chair the panel.
- (ii) No member of the Selection Review Panel may be a party to or directly interested in the matter under consideration.

(d) **Functions of the Selection Review Panel**

The Selection Review Panel has no power of selection or re-selection. The Selection Review Panel may review the matter set out in the appeal and may (as appropriate) refer the matter back to the Selectors (or the BNSW Board) for consideration.

(e) **Procedures for the Selection Review Panel**

- (i) On receipt of the appeal papers, the Chairman of the Selection Review Panel shall notify his fellow Panel members of the appeal, and shall ensure copies of the relevant appeal papers are forwarded to Panel members as a matter of urgency.
- (ii) The Selection Review Panel shall, as soon as practical after receiving a notice under **clause 4(e)(i)**, investigate and consider the matter and shall within 7 days of receiving such notice, determine whether:
 - (A). the matter should be dismissed, because in its determination, the matter is trifling in nature or has no merit; or
 - (B). the appeal warrants further review and determination in accordance with this Policy
- (iii) If the Selection Review Panel determines the matter warrants further review under **clause 4(e)(ii)B**, it shall as soon as practicable, having regard to the

timing of selection and proximity of relevant events, serve a notice in writing on the aggrieved party:

- (A) stating that the aggrieved party may address the Selection Review Panel at a meeting to be held as soon as practicable, being not earlier than four days from the date of the notice;
- (B) stating the date, place and time of that meeting; and
- (C) informing the aggrieved person that he or she may do any one or more of the following:
 - (1) attend that meeting (personally or by his or her representative, not being legally trained or qualified); or
 - (2) give the Selection Review Panel, no later than 24 hours before the time of that meeting, a further written statement setting out relevant information surrounding the appeal.
- (D) The Selection Review Panel may conduct a meeting convened in accordance with **clause 4(e)(iii)A** (or any adjournment thereof) in such manner as it sees fit, but shall:
 - (1) give to the aggrieved party and the Selectors (or the Board) every opportunity to be heard;
 - (2) give due consideration to any written statement by the aggrieved person;
 - (3) allow the aggrieved person to be present along with his or her adult representative (not being legally trained or qualified); and may
 - (4) request or require the aggrieved person or any other witness to attend the meeting or provide such evidence as is available.
- (E) Following consideration of all relevant and available information, the Selection Review Panel shall arrive at a finding. A decision of the Selection Review Panel may be by a majority decision.
- (F) The Selection Review Panel shall notify the BNSW President of its finding as soon as practicable.
- (G) If the Selection Review Panel considers the ground alleged by the aggrieved person to be satisfied, it shall recommend that the Selectors (or the BNSW Board) again consider the selection of the relevant squad, team, individual.
- (H) The Selectors (or the BNSW Board) shall comply with any direction of the Selection Review Panel in this regard.
- (I) Any further selection decision of the Selectors (or the BNSW Board) under the direction of the Selection Review Panel shall be final, and no other further appeal shall be available to the aggrieved person in respect of that selection.