



## NOMINATION & SELECTION POLICY – KRAKOW & MALOPOLSKA 2023 EUROPEAN GAMES

Selection Date: 11<sup>th</sup> April 2023

### 1. BACKGROUND AND INTRODUCTION

- 1.1. Great Britain Badminton (GBB) is responsible for nominating a Great Britain Badminton squad to participate in the 2023 European Games. The British Olympic Association (BOA) is responsible for the selection and entry of athletes to compete in the 2023 European Games. GBB in consultation with the BOA, and in accordance with the official Badminton Europe qualification system have set the following nomination and selection policy for this Games.
- 1.2. The maximum number of competitors per National Olympic Committee (NOC) shall be **two** players in each of the men's singles and women's singles and **two** pairs in each of the doubles events (men's doubles, women's doubles and mixed doubles), provided each entry is directly qualified (see Clause 5 below). The maximum number of men and women respectively per NOC is eight (a total of 16), as demonstrated in the below table.

| Event           | Quota per NOC |
|-----------------|---------------|
| Men's Singles   | 2             |
| Women's Singles | 2             |
| Men's Doubles   | 4 (2 pairs)   |
| Women's Doubles | 4 (2 pairs)   |
| Mixed Doubles   | 4 (2 pairs)   |
| <b>Total</b>    | <b>16</b>     |

- 1.3. To be eligible for selection in any event, all players must have played in a minimum of three tournaments counting towards the World Rankings lists during the European Games qualifying period (28 March 2022 – 26 March 2023) and be registered in the World Ranking list of 28 March 2023.
- 1.4. Final selection is at the sole discretion of the BOA and will be based on GBB's nominations made against this nomination and selection policy. Selections will

be submitted by the BOA to the European Olympic Committee (EOC) and the team will be announced following ratification by the EOC.

## 2. ELIGIBILITY

2.1. To be considered for selection under this Policy, an athlete must comply with the Olympic Charter and other relevant rules, including:

- (a) holding a valid British passport;
- (b) complying with Rule 41 of the [Olympic Charter](#) (Nationality of Competitors) and Rule 43 (Anti-Doping Code and Olympic Movement Code on the Prevention of Manipulation of Competitions);
- (c) being an affiliated member of and in good standing with their respective National Governing Body; and
- (d) being eligible under any other conditions of participation established by the EOC and the rules of Badminton Europe (BEC).

## 3. SELECTION PROCEDURE – TIMESCALES

3.1. The BWF World Ranking List as of **28 March 2023** will be used to determine who is eligible for selection for the Games. Each list shall be adjusted by removing all players who are not qualified to represent any NOC in accordance with EOC regulation.

**Nomination and Selection** – The Selection Panel will convene on the **11<sup>th</sup> April 2023** following the allocation of quota places by the EOC. Initial nominations to the BOA by GBB will be made no later than **24<sup>th</sup> April 2023**. In the event that additional quota places are allocated to Great Britain, the Nominations Panel will reconvene to consider further nominations based once again on this policy.

The BOA will be responsible for confirming and submitting the selected players to the EOC before the sport entries deadline on **2 June 2023**, subject to completion of the appeals process.

Any decision to deselect a player(s) before the entry deadline (**2 June 2023**) will be the responsibility of GBB. Following the entry deadline any decisions on deselection of players will be the responsibility of the BOA (in consultation with GBB) in accordance with Clause 6.2.

Nominated/selected players are not permitted to make any announcements to the media or the general public in any form whatsoever (including via any social media platforms) of their possible or confirmed selection or non-selection prior to official announcement by the BOA of such selection.

All dates in this clause 3.1 may be subject to variation. Any such variations will be notified to all players eligible for selection.

## 4. SELECTION PANEL

4.1.A GB Badminton Olympic Selection Panel comprising of five voting representatives, plus an independent non-voting Chair, will be responsible for the administering of this policy. The Panel comprises of:

- Independent Chair who is also legally qualified (Non-voting)
- GB Performance Director (Voting)
- GB Lead Coach (Voting)
- Home Nations Head Coach (excluding Badminton England) (Voting)
- GB Badminton Board Representative (excluding Badminton England)(Voting)
- Performance Peer (Performance background expertise) (Voting)
- British Elite Athlete Association representative (Non-voting)

Role of the Independent Chair will be to ensure the integrity of the selection process and that the Selection Policy is adhered to and manages the panel accordingly.

The Performance Peer will be a critical performance 'eye' and have an understanding and proven track record within Performance Sport.

## 5. EUROPEAN GAMES QUALIFICATION STANDARDS

5.1. As stated above at Clause 1.2, the maximum number of competitors per NOC shall be **two** players in each of the men's singles and women's singles and **two** pairs in each of the doubles events (men's doubles, women's doubles and mixed doubles) (subject to quota places and provisions set out in Clauses 5.3 to 5.13).

5.2. The BWF World Ranking List of 28 March 2023 (the "List"), which will be changed into European Ranking Lists by removing players, who are not qualified to represent any NOC in accordance with EOC regulations. This list will be used to allocate qualifying places until a total of 32 places in each singles event and 32 places (16 pairs) in each doubles event are allocated. All places will be allocated by the EOC Technical Group in conjunction with Badminton Europe.

### **Selection for Singles Events (Men's Singles & Women's Singles)**

5.3. If players are ranked 1 - 8 on the List, such players will gain automatic selection (subject to Clause 2.1), in order of ranking up to a maximum of two in accordance with Clause 1.2.

5.4. If only one player is ranked 1-8 on the list such a player will gain automatic selection (subject to Clause 2.1). No further players ranked outside of the top 8 on the List in this circumstance will be eligible for selection.

5.5. If no players are ranked 1 - 8, all players achieving qualifying places on the List will be considered collectively and one player selected based on the following criteria:

5.5.1. The primary criteria will be the BWF World Ranking as at 28 March 2023; For players that meet the primary criteria by virtue of having a World Ranking as at 28 March 2023, the following additional criteria will be taken into consideration:

- 5.5.1.1. Players BWF World Ranking position will be taken into consideration and may take precedence in the selection if there is a significant difference between players rankings;
- 5.5.1.2. Results and performances against players with significant ranking (World Rank 32 and above);
- 5.5.1.3. Results and performances at [BWF Grade 1 Major Events](#) in the past two years; and
- 5.5.1.4. Future Olympic medal potential. This will be a combination of results of performance and player development analysis to show if on an upward performance trajectory.

5.6. Selection decisions made in respect of paragraph 5.5 above shall be taken by the Panel in their reasonable discretion. For example, if an eligible player is ranked below another on 30 April 2024 but has greater potential to achieve a top 8 position at the LA Olympic Games 2028, the Panel would reserve the right to select such athlete on such a basis. For the avoidance of doubt, the Panel would only exercise such discretion if by calculation, declining a named quota place of a higher ranked player means the next quota place allocation is awarded to a GB player. In the event that declining a quota place would result in the quota place being awarded to another NOC, the Panel would not decline the quota place.

#### **Selection for Doubles Events (Men's Doubles, Women's Doubles & Mixed Doubles)**

5.7. If pairs are ranked 1 - 4 on the List, such pairs will gain automatic selection (subject to Clause 2.1), in order of ranking up to a maximum of two in accordance with Clause 1.2.

5.8. If only one pair is ranked 1-4 on the list, such a pair will gain automatic selection, (subject to Clause 2.1). No further pairings ranked outside of the top 4 on the List in this circumstance will be eligible for selection.

5.9. If no pairs are ranked 1-4 all players achieving qualifying places on the List will be considered collectively and one pair selected based on the following criteria:

5.9.1. The primary criteria will be based on World Ranking as at 28 March 2023;

For players that meet the primary criteria, by virtue of having a World Ranking as at 28 March 2023, the following additional criteria will be taken into consideration:

- 5.9.1.1. Players BWF World Ranking position will be taken into consideration and may take precedence in the selection if there is a significant difference between players rankings;
- 5.9.1.2. Results and performances against players with significant ranking (World Rank 16 and above);
- 5.9.1.3. Results and achievements at [BWF Grade 1 Major Events](#) in the past two years; and
- 5.9.1.4. Future Olympic medal potential. This will be a combination of results of performance and player development analysis to show if on an upward performance trajectory

5.10. Selection decisions made in respect of paragraph 5.9 above shall be taken by the Panel in their reasonable discretion. For example, if an eligible pair is ranked below another on 30 April 2024 but has greater potential to achieve a top 8 position at the LA Olympic Games 2028, the Panel would reserve the right to select such athletes on such a basis. For the avoidance of doubt, the Panel would only exercise such discretion if by calculation, declining a named quota place of a higher ranked pair means the next quota place allocation is awarded to a GB pair. In the event that declining a quota place would result in the quota place being awarded to another NOC, the Panel would not decline the quota place.

5.11. It should be noted that only players/pairings that are actively competing internationally in BWF sanctioned events on the 28 March 2023 will be considered for nomination.

## 6. WITHDRAWAL

6.1. Prior to the entry deadline (**2 June 2023**), regardless of any other provision, no player will be nominated to or entered by the BOA if, at the time of nomination and in accordance with Clause 3.1:

- 6.1.1. they are injured or unfit, unless they can satisfy the GBB that they will be able to compete in the Games to the best of their ability (this may include carrying out a pre-determined sports specific physical assessment and a medical examination by the Badminton England Chief Medical Officer); or
- 6.1.2. they have not demonstrated to the reasonable satisfaction of GBB their full commitment to the required training and competition programme; or
- 6.1.3. they are subject to any disciplinary or conduct investigation.
- 6.1.4. For the avoidance of doubt, any decisions made with regard to deselection prior to the entry deadline will remain the responsibility of GBB.

GBB shall at all times keep the BOA informed of any actual or potential deselection decisions.

6.2. After the entry deadline, de-selection and selection of a replacement athlete is only allowed in accordance with the EOC's Late Athlete Replacement Policy ("LARP") (or any revised or amended EOC policy dealing with athlete replacement) and is the responsibility of the BOA. The LARP primarily provides for replacement in the case of injury and/or illness. In the event of there being a query from the GBB Performance Director with support from GB Medical team, over the ability of a player to be able to compete to the best of his/her ability due to an injury or illness the following procedure will be adhered to:

6.2.1. the BOA Chief Medical Officer can require a player to undergo a medical examination to determine his/her fitness to participate which at this stage will be determined based on an assessment of whether the injury and/or illness is such that the player risks causing medical harm to him or herself, or endangering other competitors, officials or spectators. The BOA Chief Medical Officer will carry out this examination or another doctor delegated by him/her. If the player fails the medical examination he/she will be withdrawn from the Team.

6.2.2. if the player passes the medical examination carried out in accordance with the above but GBB and/or the BOA have concerns over whether or not the player is able to compete to the level ordinarily expected of them due to the underlying injury or illness, the Team GB Chef de Mission can require the athlete to undergo a set of pre-determined sports specific performance tests. Those tests will be agreed in advance following consultation with the Team Leader and GBB Medical Officer. If the player fails such a test, he/she will be withdrawn from the team on medical grounds and, if appropriate, a replacement may be nominated by GBB in accordance with this Policy.

## **7. APPEALS**

7.1. In the event that a player wishes to appeal against a decision made by the Nominations Panel in relation to nomination or deselection, the player shall have the right to appeal in accordance with the "GB Selection and Nomination Appeals Procedure" (Appendix 1). It should be noted that a player may only appeal against a decision of the Nominations Panel on the grounds that the criteria set out in this policy has not been applied correctly.

7.2. In the event that:

7.2.1. the BOA fails to select a player nominated by GBB; or

7.2.2. the BOA deselects a player post the entry deadline,

the player shall have the right to appeal in accordance with the BOA's appeal process.

Badminton GB Ltd

February 2023

The following terms referred in this policy have the following meanings:

**“NOC”** means the National Olympic Committee; Team GB;

**“BEC”** means Badminton Europe Committee;

**“EOC”** means European Olympic Committee

**“GBB”** means Great Britain Badminton

## Appendix 1:

### **GB Selection and Nomination Appeals Procedure – Krakow & Malopolska 2023 European Games**

#### **1. INTRODUCTION**

- 1.1. This document sets out the Selection Appeals Procedure for selection decisions in respect of athlete nominations to the British Olympic Association for the Krakow & Malopolska 2023 European Games. It applies equally to such nomination decisions as if each reference to the “selection” was replaced with “nomination” unless otherwise stated. This document will remain in place until superseded or amended by GB Badminton from time to time.
- 1.2. For the purpose of this document, reference to Badminton England relates to its role as Lead Home Nation for the management and delivery of the Krakow & Malopolska 2023 European Games.
- 1.3. Anyone wishing to lodge an appeal under this procedure must be fully familiar with the detailed provisions of the Selection Policy for the Krakow & Malopolska 2023 European Games.
- 1.4. This is intended to be an accelerated procedure to enable any challenge to be resolved as quickly as is reasonably possible. There is considerable potential for “knock on” to athlete preparation related to the outcome of the appeal. Accordingly, the aim of this procedure is to return a decision on appeal with 5 working days.
- 1.5. This is the only applicable appeals procedure and forms the entire agreement between each athlete and GB Badminton (together "the Parties") as to how selection decisions are to be challenged. The Parties agree to submit any dispute concerning any matter connected with or arising out of selection issues to binding arbitration in accordance with the provisions of this Selection Appeal Procedure. The Parties agree that they will not commence, continue or maintain any legal challenge to any matter falling under the jurisdiction of this Procedure, or any decision made under this Selection Appeals Procedure, before any court of law or other dispute resolution body. The Parties will treat all decisions under this Selection Appeals Procedure as final and binding upon them.
- 1.6. The Parties agree that this Selection Appeal Procedure is to be treated as an arbitration procedure under Part 1 of the Arbitration Act 1996 (“the Act”) and the provisions of clause 1.4 above amount to a binding arbitration agreement



for the purposes of section 6 of the Act. The seat of the Arbitration shall be England.

## **2. PARTIES**

2.1. This Selection Appeals Procedure is binding on GB Badminton and on each athlete who is seeking selection to the GB Badminton Team.

## **3. HOW TO APPEAL**

3.1. This Appeals Procedure is commenced when an athlete affected by a selection decision makes a formal written appeal (the 'Notice of Appeal') to the Chair of the Appeals Panel. This must be done within 3 working days of the selection being announced or communicated to the athlete, whichever is later. If the athlete fails to submit the Notice within the time limit set out in this Procedure he or she will have lost their right of Appeal under this Procedure, save in wholly exceptional circumstances which will be judged by the Appeal Panel in their absolute discretion.

3.2. The Notice of Appeal will set out the ground of the appeal and will include full details of the basis of the appeal including the precise manner in which the appellant alleges the selection criteria have not been followed. The Notice of Appeal should be as full as possible as it will form the basis of the remainder of this procedure. Appeals will normally be conducted based on the written submissions of the appellant and the Selection Panel, without a hearing or the calling of witnesses or the giving of oral evidence.

## **4. GROUND OF APPEAL**

4.1. The sole ground of appeal against the decision of any selection panel will be that there has been a failure to follow the applicable selection criteria. This Selection Appeals Procedure is provided on this limited ground only and must not be seen as an opportunity to dispute the opinion of the selection panel where they have followed the proper procedure. In reaching their decision the selection panel are acting as experts and athletes agree that in so doing the panel will exercise judgment and discretion which are not in themselves capable of challenge.

4.2. There are no appeals allowed against the content of the published selection criteria and therefore against the actions of the selection panel, provided they follow the selection criteria.

## **5. COMMUNICATIONS AND NOTICES**

5.1. Due to the timescales involved, the Selection Panel will use any reasonable method of communicating with athletes which will include oral announcements to groups of athletes, telephone calls, SMS messages, email or fax and athletes must be aware of this and keep a constant review of these communication channels to receive the selection decision. Athletes are advised that they should inform the Senior Performance Coordinator (Jeannie Mo on [jeanniemo@badmintonengland.co.uk](mailto:jeanniemo@badmintonengland.co.uk)), of a preferred method of communication and accept full responsibility for ensuring relevant contact details are provided.

5.2. Any Notice of Appeal must be submitted via [appeals@badmintonengland.co.uk](mailto:appeals@badmintonengland.co.uk)

## **6. APPEAL PANEL**

6.1. The Appeal Panel will consist of three people whose names and contact details will be confirmed in due course. Panel will consist of an Independent Chair, GB Badminton Board Member and an expert within selection processes.

6.2. In the event that any member of the Appeal Panel has any involvement with or is related to an appellant or any athlete who might be affected by the outcome of the Appeal, or is in any other way placed in a position of conflicting interests in respect of any appeal s/he shall be disqualified from sitting on the Appeal Panel and will be replaced by an alternative panel member at the discretion of Badminton England.

## **7. CONDUCT OF THE APPEAL**

7.1. As soon as reasonably practicable following the receipt of the Notice of Appeal the Chair of the Appeal Panel shall contact the Chair of the Selection Panel to inform them of the Appeal, provide them with a copy of the Notice of Appeal and request that the Chair provides any response on behalf of the Selection Panel within 24 hours of this notification.

7.2. The Selection Panel and the Appellant will not be entitled to appear before the Appeal Panel but may at the discretion of the Appeal Panel be invited to provide information by telephone or in writing. No party will be entitled to separate representation (including legal representation).

7.3. Where it appears to the Appeal Panel that the interests of some other athlete (other than the Appellant, referred to as the "Third Party") may be affected by any decision of the Appeal Panel, they will invite the Third Party to comment on the merits of the Appeal (by telephone or in writing) and will provide the Third Party with copies of all relevant documentation. In such a situation it is likely that the decision of the Appeal Panel will determine the rights of all the affected athletes (not just the appellant) and therefore the Third Party will be prohibited from raising again by way of a separate or further appeal matters which have already been decided upon.

7.4. The Appeal Panel will seek to reach its conclusion no later than 72 hours of receipt of the Notice, and will inform all interested parties in writing and by telephone (or such other method of communication as the Appeal Panel shall decide) as soon as possible.

## **8. REMEDIES**

8.1. The Appeal Panel will be entitled to rescind the decision of the Selection Panel and confirm the selection of the Appellant only in clear cases where the Selection Policy has not been followed and it is plain that had it been followed the appellant would have been selected.

8.2. The Appeal Panel shall be entitled to confirm the decision of the Selection panel and reject the Appeal.

8.3. The Appeal Panel may also quash the selection decision and remit the matter back to the Selection Panel identifying the errors they have identified in the conduct of the Selection process and requesting that a new decision is made within one week.

## **9. MINOR AND NON-CONSEQUENTIAL BREACHES OF THIS PROCEDURE**

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

## **10. CONFIDENTIALITY OF PROCEEDINGS AND PUBLICATION OF DECISION**

10.1. GB Badminton, Badminton England, the Appellant and any Third Party are under an obligation of confidentiality in respect of any appeal proceeding under this Procedure. Save as permitted under this Selection Appeals Procedure none of these Parties will make any public statement or disclosure of the contents of the Notice, or any other matter referred to by any of the parties during the course of these Proceedings.

10.2. Badminton England will be entitled to publish the decision of the Appeal Panel where it upholds the Appeal (or any element of it) in such manner and to such extent as is necessary to inform all properly interested and effected parties of the status of the selection decision previously published and the resulting position as to selection.

## **11. CHANGES AND AMENDMENTS TO THIS PROCEDURE**

11.1. GB Badminton will be entitled to amend this procedure from time to time and such amendments will take effect from the first date of publication of the complete amended procedure on the respective Home Nations' websites.