APPEAL POLICY

REVIEW AND APPROVAL			
POLICY NUMBER	POL-HP-002	**AUTHOR**	High Performance
EFFECTIVE DATE	September 1, 2026	**REVIEWER**	Governance, Safe Sport
LAST REVISION DATE	July 2026	**APPROVER**	Guillaume Marx
APPLIES TO:			
(list departments to define applicable areas of staff)			
High Performance athletes, coaches, staff			

VERSION HISTORY			
VERSION	**APPROVED BY**	**REVISION DATE**	**DESCRIPTION OF CHANGE**

1. PURPOSE

The purpose of this Policy is to establish a fair, transparent, affordable, and timely process through which Athletes and Coaches may appeal specific National Team High-Performance Program decisions made by Tennis Canada, including team selections, nominations, tour participation decisions, and Sport Canada Athlete Assistance Program (AAP) carding nominations.

This Policy supports procedural fairness while respecting the technical expertise and performance-based decisions made through Tennis Canada's High-Performance Program.

2. SCOPE

This Policy applies exclusively to appeals involving:

- National Team selection or deselection decisions;
- Team nomination decisions;
- International tour participation decisions;
- Sport Canada Athlete Assistance Program (AAP) carding nomination and de-nomination decisions;
- Other High-Performance Program decisions expressly identified as appealable in the National Team High-Performance Program Manual, applicable selection criteria, or related High-Performance Program documents.

This Policy does **not** apply to:

- Complaints or reports submitted under Tennis Canada's Speak Up Policy;
- Alleged violations of the Sport Safety Code of Conduct;
- Maltreatment, abuse, discrimination, harassment, neglect, violence, retaliation, grooming, or other prohibited conduct governed by the Universal Code of Conduct to Prevent and Address Maltreatment in Sport (UCCMS);
- Decisions made by Sport Integrity Canada (SIC) or by the Sport Dispute Resolution Centre of Canada (SDRCC) Safeguarding Tribunal, or any authority operating under the Abuse-Free Sport Program;
- Employment-related matters unless specifically identified as appealable under this Policy.

Concerns involving misconduct, athlete safety, retaliation, or violations of the Sport Safety Code of Conduct shall be addressed through the Speak Up Policy, Abuse-Free Sport processes, or other applicable disciplinary procedures.

3. TERMS AND DEFINITIONS

Define any acronyms, jargon, or terms that might have multiple meanings (if applicable).

TERM	DEFINITION
Affected Party	Any individual who may be affected by a decision rendered under this Policy and who may have a right of appeal.
Appelant	The individual appealing the decision pursuant to this Policy.
Appeal Manager	An individual appointed by Tennis Canada who may be any staff member, committee member, volunteer, director, or an independent third party, to oversee this appeal process. The Appeal Manager will have responsibilities that include, but are not limited to, the decision- making authority empowered by this Policy.
Athlete	An athlete participating in Tennis Canada programs and subject to Tennis Canada policies.
Coach	A coach participating in Tennis Canada programs and subject to Tennis Canada policies.
Days	Calendar days For the purpose of calculating deadlines, the following shall apply: the day of the act is not included in the calculation (i.e., the date of receipt of a decision is not Day 1); instead, the deadline would start on the day following receipt of the decision and would expire at midnight (in the location of the individual seeking to file an appeal) on the last day of the period. If the end date is a Saturday, a Sunday or a legal holiday, the period runs until the next day that is not a Saturday, a Sunday or a legal holiday.
HP Manual	National Team High-Performance Program Manual.
Individual	Any person subject to Tennis Canada's bylaws, policies, codes, rules, or participation agreements.
Member	Provincial or Territorial Tennis Association admitted as a Member under Tennis Canada's Bylaws.
Parties	The Appellant, Respondent, and any Affected Party.
Respondent	The individual or body responding to the appeal.

4. POLICY

4.1 ELIGIBILITY AND TIMING

4.1.1. ELIGIBILITY

Athletes and Coaches directly affected by a High-Performance Program decision identified in this Policy may submit an appeal.

Other individuals may appeal only where:

- The decision directly affects participation in a National Team or High-Performance Program activity; and
- The applicable High-Performance Program document expressly provides a right of appeal.

4.1.2 FILING AN APPEAL

Unless otherwise indicated at the time that a decision is communicated, Athletes and Coaches who wish to appeal a decision have seven (7) days from the date on which they received notice of the decision to submit to Tennis Canada's Director, High-Performance Operations using this link: Appeals Request Form

The following information will be submitted as part of the process:

- Notice of the intention to appeal
- Their contact information
- Name of the Respondent and any Affected Parties, when known to the Appellant
- Date the Appellant was advised of the decision being appealed
- A copy of the decision being appealed, or description of the decision if a written document is not available
- Grounds and detailed reasons for the appeal
- All evidence that supports these grounds
- Requested remedy or remedies

An Athlete or Coach who wishes to initiate an appeal beyond the seven (7) day period may only do so if exceptional circumstances prevented them from filing their appeal within the deadline indicated above. The Appellant must provide a written request stating the reasons for which they are seeking an exemption. The decision to allow or reject an appeal outside the seven (7) day period will be at the sole discretion of Tennis Canada's Director, High-Performance Programs and Administration.

4.2 GROUNDS FOR APPEAL

A decision cannot be appealed on its merits alone or because an Athlete or Coach does not like or agree with a decision. Appeals may only proceed where the Appellant establishes one or more of the following procedural grounds:

a) Tennis Canada exceeded its authority or jurisdiction;
b) Relevant information was not considered or irrelevant information was relied upon;
c) Applicable procedures were not followed;
d) The decision was influenced by bias;

The Appellant must demonstrate, on a balance of probabilities, that Tennis Canada made a procedural error as described above and that this error had a material effect on the decision.

Notwithstanding any other provision in this appeal process, by agreement between the Athlete and Tennis Canada, the appeal process foreseen in this appeal process may be bypassed, and the appeal may be heard directly before the SDRCC, provided that the Athlete has filed their appeal within the deadline indicated in Section 4.1. Should the Parties agree to have the appeal heard directly before the SDRCC, the Canadian Sport Dispute Resolution Code will apply, and the procedures indicated below in this Policy will not be applied.

4.3 DISPUTE RESOLUTION

Unless all the Parties agree otherwise or, if, in the circumstances, there is insufficient time, the Parties may first attempt to resolve the appeal through early resolution facilitation (i.e., mediation) before the SDRCC and prior to the matter being adjudicated. The early resolution facilitation process shall be conducted pursuant to the Canadian Sport Dispute Resolution Code.

Should the dispute not be resolved through the SDRCC's early resolution facilitation process for any reason, the steps indicated immediately below shall be followed, unless the Parties agree to bypass the internal appeal process and have the matter heard in arbitration directly before the SDRCC as provided for in Section 4.2.

4.4 SCREENING OF APPEAL

The Director, High Performance Programs and Administration, or designate who was not involved in the original decision, shall appoint an independent Appeal Manager.

The Appeal Manager shall determine:

- Whether the appeal falls within the scope of this Policy;
- Whether the appeal was filed within the applicable timelines;
- Whether sufficient grounds for appeal exist.

Where an appeal is rejected, written reasons shall be provided.

Any such decisions rendered by the Appeal Manager may be appealed to the SDRCC pursuant to the Canadian Sport Dispute Resolution Code.

If the Appeal Manager accepts an appeal because it falls under the scope of this Policy, there are sufficient grounds and it was submitted in a timely manner, the Appeal Manager will notify the Parties of their decision in writing and will follow the steps described hereunder.

4.5 APPOINTMENT OF APPEALS COMMITTEE

Where an appeal is accepted, the Appeal Manager shall appoint:

- A single-member Appeals Committee; or
- A three-member Appeals Committee where circumstances warrant.

Committee members must:

- Be impartial;

- Be free of actual or perceived conflicts of interest;
- Have no direct relationship with the Parties.

Preference should be given to individuals possessing legal, governance, dispute-resolution, or High-Performance sport expertise.

4.6 DETERMINATION OF AFFECTED PARTIES

In order to confirm the identification of any Affected Parties, the Appeal Manager will engage Tennis Canada's Director, High Performance Programs and Administration. The Appeal Manager may determine whether a Party is an Affected Party in their sole discretion.

4.7 PROCEDURE FOR APPEAL HEARING

The Appeal Manager shall notify the Parties that the appeal will be heard. The Appeal Manager, in collaboration with the Appeals Committee, shall determine the format under which the appeal will be heard.

If a Party chooses not to participate in the hearing, the hearing will proceed in any event.

The format of the hearing may involve an oral in-person hearing, an oral hearing by telephone or other electronic means, a hearing based on a review of documentary evidence submitted in advance of the hearing, a hearing based on documentary submissions alone, or a combination of these methods. Irrespective of the format of the hearing, the hearing will be governed by the procedures that the Appeal Manager and the Appeals Committee deem appropriate in the circumstances, provided that:

a) The hearing will be held in a timely manner within a timeline determined by the Appeal Manager;
b) The Parties will be given reasonable notice of the day, time and place of an oral in-person hearing or oral hearing by telephone or electronic communications;
c) Copies of any written documents which the Parties wish to have the appeal panel consider will be provided to all Parties in advance of the hearing;
d) The Parties may be accompanied by a representative, advisor, translator, transcription services, or legal counsel at their own expense;
e) The Appeals Committee may request that any other individual participate and give evidence at an oral in-person hearing or oral hearing by telephone or electronic communications;
f) The Appeals Committee may exclude any evidence filed by the Parties that is unduly repetitious or otherwise an abuse of process. The Appeals Committee shall otherwise apply relevant and applicable evidentiary rules in relation to the admissibility and weight given to any evidence filed by the Parties
g) Nothing is admissible in evidence at a hearing that:
    a. would be inadmissible in a court by reason of any privilege under the law of evidence; or
    b. is inadmissible by any statute.

h) Any Affected Party shall be permitted to make submissions and file evidence before the Appeals Committee. The Appeals Committee's decision is binding on any Affected Party
i) The decision to uphold or reject the appeal will be by a majority vote of the Appeals Committee members, except in cases where the panel consists of a single member.

In fulfilling its duties, the Appeals Committee may obtain independent advice.

4.8 APPEAL DECISION

The Appeals Committee shall issue its decision, in writing and with reasons, within fourteen (14) days after the hearing's conclusion. In making its decision, the Appeals Committee will have no greater authority than that of the original decision-maker. The Appeals Committee may decide to:

a) Reject the appeal and confirm the decision being appealed;
b) Uphold the appeal, in whole or in part, and refer the matter back to the initial decision-maker for a new decision;
c) Uphold the appeal, in whole or in part, and vary the decision;
d) Determine whether costs of the appeal, excluding legal fees and legal disbursements of any Parties, may be assessed against any Party. In assessing costs, the Appeals Committee will take into account the nature and amount of the costs, the outcome of the appeal, the conduct of the Parties, and the Parties' respective financial resources.

The Appeals Committee's written decision, with reasons, will be distributed to all Parties, the Appeal Manager, and Tennis Canada. Where necessary due to time constraints, the Appeals Committee may first issue a verbal or summary decision soon after the hearing's conclusion, with the full written decision to be issued thereafter.

Any decision rendered pursuant to this appeal process shall apply automatically to and must be respected by Tennis Canada and its Members.

Records of all decisions will be maintained by Tennis Canada and its Members in accordance with their respective privacy policies.

The Appeals Committee's decision is final and binding on the Parties, subject to their right to appeal the decision before the SDRCC in accordance with the Canadian Sport Dispute Resolution Code. Notwithstanding any provision to the contrary in the Canadian Sport Dispute Resolution Code, appeals must be filed with the SDRCC within 7 days of receipt of the appealing Party's receipt of the Appeals Committee's decision.

4.9 TIMELINES

If the circumstances of the appeal are such that adhering to the timelines outlined by this Policy will not allow a just resolution to the appeal, the Appeal Manager and/or Appeals Committee may direct that these timelines be revised.

4.10 CONFIDENTIALITY

The appeals process is confidential and involves only the Parties, the Appeal Manager, the Appeals Committee, and any independent advisors to the Committee. Once initiated and until a decision is released, none of the Parties will disclose confidential information to any person not involved in the proceedings.

Any failure to respect the aforementioned confidentiality requirement may result in disciplinary action being taken against the Individual(s) in accordance with Tennis Canada's relevant and applicable policies.

4.11 FINAL AND BINDING

No action or legal proceeding will be commenced against Tennis Canada or Individuals in respect of a dispute unless Tennis Canada has refused or failed to provide or abide by the dispute resolution process and/or appeal process as set out in governing documents.

The Appeals Committee's decision shall be binding on all Parties, subject to any right of appeal before the SDRCC.

4.12 PROTECTION FROM RETALIATION

No Individual shall be subjected to retaliation, reprisal, intimidation, interference, adverse treatment, or discrimination for:

- Filing an appeal in good faith;
- Participating in an appeal proceeding;
- Providing evidence;
- Exercising rights under this Policy, the Speak Up Policy, or the Sport Safety Code of Conduct.

Allegations of retaliation shall be addressed under the Speak Up Policy and/or applicable disciplinary processes.

4.13 SAFE SPORT REPORTING OBLIGATIONS

Nothing in this Policy prevents an Individual from reporting concerns involving:

- Athlete safety;
- Abuse;
- Harassment;
- Discrimination;
- Maltreatment;
- Retaliation;

- Violations of the Sport Safety Code of Conduct.

Where information disclosed during an appeal raises a safe sport concern, Tennis Canada may refer the matter to the appropriate authority under the Speak Up Policy, Abuse-Free Sport Program, UCCMS processes, or applicable legislation.

4.14 CONFIDENTIALITY

The appeal process is confidential and shall involve only those individuals necessary for the administration and resolution of the matter.

Information may be disclosed only:

- To obtain legal advice;
- Where required by law;
- Where required by Tennis Canada policies;
- Where authorized by the Appeal Manager or Appeals Committee;
- Where disclosure is required under the Speak Up Policy, Sport Safety Code of Conduct, or Abuse-Free Sport obligations.

Failure to maintain confidentiality may result in disciplinary action pursuant to applicable Tennis Canada policies.

4.15 PRIVACY

The collection, use and disclosure of any personal information pursuant to this Policy is subject to Tennis Canada's Privacy Policy.

Tennis Canada or any of its delegates pursuant to this Policy (i.e., Appeal Manager, Appeals Committee), shall comply with Tennis Canada's Privacy Policy in the performance of their services under this Policy.

5. NON-COMPLIANCE

Failure to comply with the Policy may result in corrective action, disciplinary measures, loss of eligibility, removal from High-Performance Program activities, or other sanctions determined by Tennis Canada's applicable policies.

6. REFERENCED DOCUMENTS

DOCUMENT No.	TITLE
POL-SS-001	Sport Safety Code of Conduct & Discipline and Complaints Policy
POL-SS-009	Speak Up Policy
N/A	Canadian Sport Dispute Resolution Code
	National HP Program Handbook
	National Team Program for Wheelchair Tennis
	Tennis Canada Athlete Agreement
	Annual Tennis Canada Carding Criteria
	Junior Nationals Participation Handbook
	Sport Canada Athlete Assistance Program Policies
	UCCMS