



Review and Appeals Policy

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Policy Maintained by:	Dr Phil Hamdorf	Next Review:	26 th May 2028

1. Purpose

This Policy establishes a clear, fair, and consistent framework for resolving disputes between Relevant Organisations associated with ASAPD.

It promotes timely resolution, procedural fairness, and the appropriate use of alternative dispute resolution and tribunal processes.

2. Scope

2.1 Application

This Policy applies to disputes between Relevant Organisations arising in connection with their activities, operations, or relationships within ASAPD.

2.2 Exclusions

This Policy does not apply to:

- Matters governed by the National Integrity Framework
- Personal grievances
- Disciplinary matters governed by other policies
- Membership suspension or expulsion processes
- Protected disclosures under whistleblower legislation

Where another policy applies, that policy will prevail.

3. Guiding Principles

All disputes will be managed in accordance with:

- Procedural fairness (natural justice)
- Timeliness and efficiency
- Confidentiality
- Good faith participation

4. Dispute Resolution Process

4.1 Step 1: Informal Resolution

Parties must first attempt to resolve disputes through direct discussion in good faith.

4.2 Step 2: Alternative Dispute Resolution (ADR)

Where informal resolution is unsuccessful, disputes may be referred to:

- Mediation
- Conciliation
- Case appraisal

ADR will:

- Require consent of all parties
- Be conducted in good faith
- Be facilitated internally or externally

Costs will be shared equally unless otherwise agreed.

4.3 Step 3: Referral to Tribunal

If ADR is unsuccessful or inappropriate, the dispute may be referred to:

- The National Sports Tribunal (NST), where applicable; or
- An internal Hearing Tribunal established by ASAPD or a Relevant Organisation

5. Hearing Tribunal

The Hearing Tribunal will:

- Consider the dispute impartially
- Apply relevant policies and procedures
- Determine the matter on the balance of probabilities

The Tribunal will notify parties of its decision in accordance with applicable procedures.

6. Appeals

6.1 Grounds for Appeal

A party may appeal a decision only on the following grounds:

- Denial of procedural fairness; or
- The decision was one that no reasonable decision-maker could have made

6.2 Appeal Process

- Appeals will be referred to the appropriate Appeals Tribunal
- Appeals are limited to a review of process and decision-making, not a rehearing

6.3 Outcomes

The Appeals Tribunal may:

- Dismiss the appeal
- Uphold the appeal
- Vary the original decision

7. Confidentiality

All disputes and related information will be treated confidentially and disclosed only:

- Where required by law
- To parties involved
- On a need-to-know basis

8. Costs

Unless otherwise agreed:

- Parties will share costs equally
- Tribunal or facilitator fees may apply

9. Relationship with Law

Parties must complete the processes outlined in this Policy before initiating legal proceedings, unless otherwise required by law.

10. Administration

ASAPD may:

- Facilitate dispute resolution processes
- Refer matters to appropriate forums
- Maintain records of disputes (de-identified where appropriate)

11. Review and Amendment

This policy will be reviewed at least every two (2) years or earlier if required.