



The Football Association

**Policy on Trans People in Football**

HOW TO APPEAL



## **1. COMMENCEMENT OF AN APPEAL**

- 1.1. An appeal shall be lodged in writing within 28 days of the individual receiving notice of The FA's decision regarding their original application.
- 1.2. The appeal should be addressed to The FA Equality Manager, who shall have responsibility for setting up an independent Appeal Board (see below).
- 1.3. The grounds of the appeal available to the individual are as follows:
  - 1.3.1. The individual can supply new evidence that is material to the original application;
  - 1.3.2. The individual considers that The FA has made a mistake of fact in relation to its consideration of the original application;
  - 1.3.3. The individual considers that The FA has misinterpreted or misapplied the policy in coming to its decision; or
  - 1.3.4. The individual considers that the decision was one which no reasonable body could have come to in the circumstances.
- 1.4. The appeal must set out the ground(s) of appeal relied on in support of those grounds. Where the appeal is under paragraph 1.3.1 (above), the individual should supply the relevant new evidence along with their appeal.

## **2. APPEAL BOARD**

- 2.1. The Appeal Board shall consist of three individuals drawn from a panel of independent charities, medical professionals and lawyers with transgender expertise. This may include representatives of groups which lobby for transgender rights and/or endocrinologists with experience of working with transgender people.
- 2.2. The FA Equality Manager shall inform the individual of the composition of the Appeal Board.
- 2.3. The FA shall bear the costs associated with engaging the assistance of the Appeal Board.

## **3. APPEAL PROCEEDINGS**

- 3.1. The FA shall acknowledge the individual's appeal in writing and pass the appeal and any new evidence to the Appeal Board within 14 days of receipt or as soon as reasonably practicable thereafter.
- 3.2. On receipt of the appeal, the Appeal Board shall:
  - 3.2.1. Set a time and date to hear the appeal, such time and date to be decided at the discretion of the Appeal Board, but to be within a reasonable time of receipt of the appeal; and

- 3.2.2. Request the provision of all relevant information and evidence from both the individual and The FA.
- 3.3. The appeal shall be made by review of documents only. The individual may apply as part of their appeal to make oral submissions, but it will be at the discretion of the Appeal Board as to whether such oral submissions will be allowed.
- 3.4. The individual and The FA should provide all relevant information to be considered to the Appeal Board at least ten days before the date on which the appeal is due to be heard. Failure to provide information in time may result in the Appeal Board deciding not to consider this information or drawing adverse inferences about its omission.
- 3.5. The Appeal Board may:
  - 3.5.1. Request further information from either the individual or The FA;
  - 3.5.2. Require that either the individual or a representative of The FA makes oral submissions;
  - 3.5.3. Contact anyone who has contributed evidence to either the original application or the appeal, for example, the individual's doctor. The Appeal Board shall request permission to make such contact where necessary. Refusal to give permission may result in the Appeal Board drawing adverse inferences; and/or
  - 3.5.4. Adjourn hearing the appeal as necessary.
- 3.6. The Appeal Board has the discretion to amend or disapply elements of this procedure as it considers necessary.

## **4. APPEAL BOARD DECISIONS**

- 4.1. The Appeal Board shall have the power to:
  - 4.1.1. Allow or dismiss the appeal; and/or
  - 4.1.2. Substitute its own decision for that of the original decision.
- 4.2. Decisions of the Appeal Board shall be final and binding and there shall be no right to further challenge.
- 4.3. As soon as is practicable, the Appeal Board shall notify both The FA and the individual of its decision, giving full written reasons.

## **5. COSTS**

Aside from the costs referred to at paragraph 2.3, above, both The FA and the individual shall bear any costs they incur in relation to the appeal.

