

# PENTATHLON GB<sup>+</sup>

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## INTRODUCTION

- 1.1. Pentathlon GB (“PGB”) is the governing body for Modern Pentathlon in Great Britain and is affiliated to the UIPM. As such it selects athletes and teams for major events, including World Championships and Olympic Games.
- 1.2. This document will be subject to periodic review and may be amended post review both to ensure that it takes account of any external rule or policy amendments; and to ensure it includes any relevant feedback.
- 1.3. This document outlines the process and criteria that PGB will use to determine which athletes it wishes to select athletes for events at the World/European Laser Run, Biathle and Triathlon Championships.
- 1.4. The Selection Panel will not take account of any verbal or written agreements with any individual athlete, whether or not they conflict with the published Policy and Process, meaning that no athletes should have any ‘legitimate expectation’ save as set out in this document.
- 1.5. Athletes seeking selection thereby agree to these Rules and to comply with and maintain the eligibility requirements and obligations referable to Athletes set out below.



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## AIM

- 2.1. The primary aim of this process is to maximise the medal winning potential for PGB at European and World Championships.
- 2.2. The secondary aim of this process is to provide opportunities for athletes to gain international experience who have potential to represent PGB with medal winning potential in future international events.
- 2.3. For the avoidance of doubt, the primary aim is the primary consideration and the secondary aim will only be considered subject to the requirements of the primary aim.
- 2.4. The aims set out in 2.1 and 2.2 above may be achieved by not selecting a representative in one or more of the Events.
- 2.5. Where the Selection Panel reasonably believes that (i) It is unlikely to achieve the primary aim in any Event or discipline and that the secondary aim cannot be met or can be met in an alternative manner and/or (ii) meeting the secondary aim would prejudice the primary aim, it shall be under no obligation to select a representative or select all of the representatives to which Pentathlon GB is entitled in any Event or discipline.
- 2.6. Where the Selection Panel reasonably believes that selection of an athlete or athletes would either contravene the duty of care owed to that athlete or athletes or would pose an unreasonable, as determined by the Selection Panel, risk to an athlete or athletes, it shall be under no obligation to select a representative or select all of the representatives to which Pentathlon GB is entitled in any Event or discipline.

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## SELECTION

- 3.1. All selections are made by a Selection Panel nominated by the Chief Executive Officer. Representation from within PGB and/or externally will form the remainder of the panel, who may include but are not restricted to Pentathlon GB staff or Board members, Laser Run, Biathle, Triathlon team manager, and coaches and expert advisers. There will be a minimum of 3 voting members of the Panel.
- 3.2. The Selection Panel (and his delegates) will act fairly in exercising the judgments and discretions in the operation and implementation of this Policy.
- 3.3. The Selection Panel retains the right in the case of every selection to decide, on the basis of medical evidence if appropriate and taking into account any event or information after the original selection, including loss of form, that withdrawal is appropriate, in which case it may nominate a substitute. Any injury must be notified to the Selection Panel as soon as possible after it occurs, and any illness must be notified to the Selection Panel as soon as identified or suspected.
- 3.4. The Selection Panel reserves the right to select an athlete in a different age category to support item 2.2 of this policy.
- 3.5. UIPM WORLD CHAMPIONSHIPS & EUROPEAN CHAMPIONSHIPS: Subject to satisfactory performance, the first six British finishers in each class of the respective previous qualifying competition will be eligible for selection for the Championships. In the event of less than six reaching the satisfactory performance standard (three in the case of Masters age groups), the selection panel have the right to amend the standard. Pentathlon GB reserves the right to select eight competitors in each class. The seventh and eighth competitors to be decided by the selectors taking onto account and considering any requests for byes received by the Selection Panel.



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- 3.6. Satisfactory Performance is deemed to be within 15% of the winners time for Laser Run and Biathle, and 20% of the winners time for Triathle.
- 3.7. For Mixed Relay events, Pentathlon GB may choose up to 3 relay pairs to compete. Relay partners will be determined by the selection panel with consideration made to the competitive standards of the male and female counterparts. Mixed relay teams are not subject to change unless an athlete is ruled out on medical grounds.
- 3.8. Whilst there is no automatic assumption, the Selection Panel will allocate relay teams based on the below finishing positions in the Qualifier.

| Male      | Female    | Team   |
|-----------|-----------|--|
| 1st Place | 1st Place | Together as Mixed A Team                               |
| 2nd Place | 2nd Place | 2nd and 3rd in each sex category to compete as A Team. |
| 3rd Place | 3rd Place | 2nd and 3rd in each sex category to compete as A Team. |
| 4th Place | 4th Place | Together as Mixed B Team                               |
| 5th Place | 5th Place | 5th and 6th in each sex category to compete as B Team. |
| 6th Place | 6th Place | 5th and 6th in each sex category to compete as B Team. |

- 3.9. Bye applicants are not eligible to be considered for a relay space.
- 3.10. It is the responsibility of athletes to bring to the attention of the Selection Panel any special circumstances that they feel may be relevant.
- 3.11. The Selection Panel must declare any actual or potential conflict of interest, and disqualify himself where the interest is material or could reasonably give rise to an impression of bias or unfairness.
- 3.12. The Appeal Procedure at Appendix A applies to all appeals arising from the policy set out herein. Subject only to the Appeal Procedure all decisions related to selection are final.

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## ELIGIBILITY FOR SELECTION

- 4.1. To become and remain eligible for selection each Athlete must at all times:
  - 4.2. Hold a valid British Passport and be able to represent Great Britain.
  - 4.3. Maintain full membership of Pentathlon GB.
  - 4.4. Fall into an identified UIPM competition age group.
    - 4.4.1. Athletes must strive to compete in their correct competition age group.
    - 4.4.2. Athletes are permitted under UIPM regulations to compete up one competition age group. If selection determines spaces are available in a competing age group above the selection panel reserve the right to select athletes in these competing age groups accordingly.
    - 4.4.3. Athletes must indicate on the expression of interest form at the qualifier event whether they wish to be considered for an age group above should the selection determine. No other request will be considered.
- 4.5. Comply with UIPM and Pentathlon GB Rules and Regulations in force.



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- 4.6. Agree to comply with the UIPM and UK Anti-Doping rules and anti-doping blood/urine testing policies, and in particular, provided that an athlete coming out of retirement has notified UK Anti-Doping in accordance with its rules, secured dispensation to participate in the sport. Those notified athletes on the National and/or International testing pools agree to comply with the requirements of the World Anti-Doping Code and International Standard for Testing with regard to ADAMS and whereabouts information. Agreement shall be assumed by the acceptance of the offer a place at the Event.
- 4.7. Not possess, supply, use or encourage the use of any illegal or prohibited drug or technique.
- 4.8. Not be serving a ban or be subject to a sanction issued by PGB, UK Anti-Doping or the UIPM or ECMP from participation in the sport for any reason (including as a result of being found guilty of a doping offence or being found guilty of an offence relating to betting, manipulation of results, corrupt conduct, inside information) at the time of selection and/or at the time of the Event.
- 4.9. Be available for testing in accordance with the UIPM/Pentathlon GB requirements.
- 4.10. Support drug-free and ethical practices and where possible promote Anti-Doping educational programmes in relation to doping control and related matters.
- 4.11. Immediately notify the UIPM, UK Sport/NADO or Pentathlon GB whenever required of their whereabouts for the purposes of Out of Competition testing as laid out in the UIPM/Pentathlon GB Doping Rules.
- 4.12. Ensure that any Therapeutic Use Exemptions are fully documented to use as laid out in the UIPM/Pentathlon GB Doping Rules.
- 4.13. Cooperate fully with the Doping programme both in and out of competition.
- 4.14. Comply fully with the Pentathlon GB Code of Conduct for Athletes and the Athletes Charter.
- 4.15. Justify the opinion of the Management of the Team that selection of the Athlete will not adversely affect or jeopardise the efficient, safe and orderly management of the group during any trip the Athlete is required to make.
- 4.16. Comply with the obligations in the Athlete's Agreement including attendance at training and competitions.
- 4.17. Failure to provide the information as required by the process prior to any stipulated deadline may result in the PGB Selection Panel rescinding the athletes nomination.
- 4.18. Selection for all competitions will take into account but not be finally governed by results achieved.
- 4.19. If any Competition is to be cancelled or postponed or there are changes in dates of competitions or to the selection policy, Athletes will be informed by e-mail or a message posted on the Pentathlon GB website. The same applies to changes in dates of competitions or selection policy.



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## BYE APPLICATION PROCESS

- 5.1. All athletes that wish to be considered for selection that have exceptional mitigating circumstances for not attending the qualifying event must complete a bye application form which arrives 24 hours BEFORE the start of the qualifying event.
- 5.2. Bye applications should be submitted online, via the Pentathlon GB website.
- 5.3. Failure to submit a bye application form by this deadline may result in non-selection for an athlete. There is no right for automatic selection through submission of a bye application.
- 5.4. All bye applications received will be reviewed and considered by the selection panel during the selection meeting providing they meet the primary or secondary aim for selection and eligibility criteria.

## RESERVES AND DE-SELECTION

- 6.1. Following selection of athletes that will make up the team, the Selection Panel may also consider reserve places for some or all Events.
- 6.2. Any athletes considered for reserve places must meet the eligibility criteria and aims of the selection process set out in this document.
- 6.3. The number of reserve places offered will be at the discretion of the Selection Panel. Reserves may not necessarily be identified for every event and will be selected using the same criteria listed above.
- 6.4. Any reserves identified may be prioritised in number order by the Selection Panel. There will be no right to appeal this order. The Selection Panel may change the order of reserves if it believes this best serves the aim of the process. If the requirement to use a reserve athlete does arise, there will be no subsequent right of appeal for any unused reserves.

## APPEALS

### 7.1. INTRODUCTION

**7.1.1.** This Appendix sets out the Pentathlon GB Selection Appeal Procedure in respect of every National 1Team selection decision. It applies to the 2021 season and will remain in place until further notice until superseded, supplemented or amended by Pentathlon GB.

**7.1.2.** This Procedure is binding on Pentathlon GB and on each Athlete seeking selection to any Pentathlon GB National Team ('the Parties').

**7.1.3.** Selections will be made in accordance with the published 2021 Pentathlon GB Team Selection Policy in force. Anyone wishing to lodge an appeal under this procedure must be fully familiar with the detailed provisions of the Selection Policy.

**7.1.4.** This is the only avenue of appeal. It forms the entire agreement between each Athlete and Pentathlon GB as to how selection decisions may be challenged. The Parties agree to determine all disputes connected with or arising out of selection in accordance with this Procedure and will not commence, continue or maintain any legal challenge to any decision or matter, before any court of law or other dispute resolution body. The Parties will treat all decisions under this Procedure as final and binding upon them.



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## APPEALS

### 7.2. HOW TO APPEAL

7.2.1. This Procedure is engaged when an Athlete affected by a selection decision makes a formal written appeal ('the Notice of Appeal'). The Notice of Appeal must be satisfactorily communicated to the Selection Panel within 48 hours of the selection being announced or communicated to the Athlete whichever is the earlier. If the Athlete fails to submit the Notice within time the Athlete has no right of Appeal under this procedure unless in exceptional circumstances the Appeal Panel in its absolute discretion rules otherwise.

7.2.2. All appeals should be submitted via email to [appeals@pentathlongb.org](mailto:appeals@pentathlongb.org) ; verbal or posted appeals will not be considered.

7.2.3. To lodge an appeal, a £15 administration charge is applicable – payable to Pentathlon GB.

7.2.4. The Notice of Appeal must set out the ground(s) of the appeal and include full details of the basis of the appeal including the precise manner in which the Appellant alleges the selection policy has not been followed. The Notice of Appeal should be as full as possible in the circumstances as it will form the basis of the appeal. Appeals will normally be conducted based on the written submissions of the appellant and the Selection Committee, without a hearing or the calling of witnesses or the giving of oral evidence.

### 7.3. GROUND OF APPEAL

7.3.1. The sole ground of appeal will be that there has been a material failure to follow the applicable selection policy. This procedure is provided on this limited ground only and must not be seen as an opportunity to dispute the judgment of the Selection Panel where it has followed proper procedures.

7.3.2. There is no appeal against the content of the published selection criteria and no appeal against decisions of the Selection Panel made in accordance with the published selection criteria.

### 7.4. COMMUNICATION AND NOTICES

7.4.1. The Selection Panel will email selection to athletes within 48 hours of the selection meeting. Athletes must be aware of this and routinely review such communication channels to ensure that they receive the selection decision on a timely basis.

7.4.2. All other notices and communications under this Procedure shall be sent by via email to [appeals@pentathlongb.org](mailto:appeals@pentathlongb.org)

### 7.5. APPEAL PANEL

7.5.1. The Appeal Panel will consist of 3 members to be nominated by Chief Executive Officer.

7.5.2. No member of the Appeal Panel shall have a material involvement with the events underlying the appeal or be related to an appellant or any Athlete who might be affected by the outcome of the Appeal, or be in any other way in a position of conflict of interest.

7.5.3. The Chairman of the Appeal Panel shall be nominated by the Chief Executive Officer.



## 7.6. CONDUCT OF THE APPEAL

7.6.1. As soon as reasonably practicable following the receipt of the Notice of Appeal the Appeal Panel shall contact the Selection Panel, inform him of the Appeal, provide him with a copy of the Notice of Appeal, and request that the Selection Panel provide a response within such time and by such means as the Appeal Panel shall direct, which will normally be within 48 hours of such initial contact.

7.6.2. The Selection Panel are not entitled as of right to appear before or be heard by the Appeal Panel but may at the absolute discretion of the Appeal Panel be invited to provide information by telephone or to make representations in such manner and within such time as the Appeal Panel may direct.

7.6.3. No party is entitled to submit an appeal of behalf of another athlete, with the exclusion of those in parental or guardianship care.

7.6.4. The Appeal Panel may waive or modify any requirement in this Procedure and adopt any variation of this Procedure if and to the extent that it is appropriate to do so in order to achieve a just and timely resolution of the matters raised by the Appeal. In particular, the Panel may dispense with any requirement in respect of notices, formal evidence and service of documents, or as to time, if and to the extent it is appropriate to do so.

7.6.5. The Appeal Panel may require the Appellant or Selection Panel to be available for additional communications via phone/video calling.

7.6.6. If the decision of the Appeal Panel may determine the rights of an affected Athlete (not just the Appellant) the Appellant may not raise again by way of a separate or further appeal matters which have already been decided.

7.6.7. The Appeal Panel will notify the Appellant within 48 hours of the Appeal meeting.

7.6.8. Until the Appeal is decided Pentathlon GB will refrain from publishing any further details in relation to the selection, which is the subject of the appeal, although the existing details will remain where originally published before the Notice of Appeal was received.

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## 8. REMEDIES

- 8.1. The Appeal Panel may rescind the decision of the Selection Panel and confirm the selection of the Appellant only if it is clear that the Selection Policy has not been followed and that had it been followed the Appellant would have been selected.
- 8.2. The Appeal Panel may confirm the decision of the Selection Panel and reject the Appeal.
- 8.3. The Appeal Panel may reject the selection decision and remit the matter back to the Selection Panel (with appropriate directions) for reconsideration, identifying the error(s) in the selection process.

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## 9. CONFIDENTIALITY OF PROCEEDINGS AND PUBLICATION OF DECISION

- 9.1. Pentathlon GB, the Appellant and any Third Party are under an obligation of confidentiality in respect of appeal proceeding under this Procedure. Save as permitted under this 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 the Procedure.
- 9.2. Pentathlon GB may 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 it considers appropriate.

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## 10. AMENDMENTS

- 10.1. Pentathlon GB may amend and publish changes to this procedure at any time but not in a way un fairly affecting any current appeal.
- 10.2. Pentathlon GB relies on funding from UK Sport and Sport England. Pentathlon GB reserves the right to make changes to selection policy and representation at competitions in the event of exceptional circumstances particularly those dictated by exterior funding requirements. The UIPM International Calendar is subject to change after official publication. Pentathlon GB reserves the right to alter the Squad Selection Policy in any event and particularly consequent upon on changes of the UIPM International Calendar.

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## 11. DATA PROTECTION

- 11.1. Personal data collected as part of this process will be managed in line with our Athlete Data Protection and Privacy Policy. For more information please visit our website.

