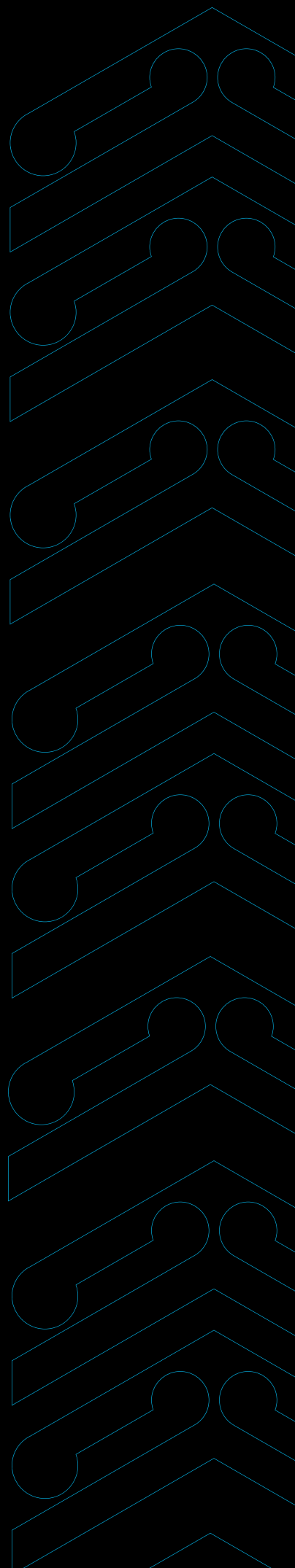




THE ESSENTIALS

SELECTION GUIDELINES

for National Sports Organisations



SELECTION GUIDELINES FOR NATIONAL SPORTS ORGANISATIONS

These Guidelines are intended to provide assistance to National Sports Organisations (NSO) when undertaking the selection process.

The Guidelines have 5 separate sections:

1. Importance and Implementation of a Selection Policy
2. Role of Selectors
3. Undertaking Athlete Selections
4. Appeals
5. Selection for Athletes to Commonwealth Games, Olympic and Paralympic Games

There are two versions of the Guidelines: An Executive Summary ([THE ESSENTIALS](#)) to remind those more experienced in Selection and a more Detailed Version ([FULL VERSION](#)) for those who need deeper guidance. Each of the sections are intended to be read together as a whole, not in isolation.

Supporting Athletes through nomination and selection is a crucial part of the process. High Performance Sport New Zealand have resources on best practice for supporting athletes which are available at [here](#). Should you have any questions on general wellbeing of athletes, please contact Wellbeing and Engagement Team, High Performance Sport New Zealand.

Selection Strategy

It is important for a NSO to understand what it is looking to achieve strategically prior to commencement of drafting its Selection Policy. Each selection event will have its own purpose, and the Selection Policy is a mechanism to ensure the relevant strategy is able to be achieved.

Important outcomes of Selection

When ascertaining whether a good selection process has occurred, the NSO should be able to achieve the following outcomes:

- The process was clear and transparent to athletes, coaches and the wider sport community
- Athlete representatives had an opportunity to engage in the development of criteria
- The athletes, coaches and wider sport community had a good understanding of the objectives of the Selection Policy
- The NSO selected the right athletes to achieve its strategic goals
- The NSO maintained good relationships with all stakeholders, including the athletes not selected
- Athletes were well supported with the selection decisions
- There were no successful appeals
- The Selection Policy framework and documentation was legally sound.

Please remember these are intended to be guidelines only. The Guidelines are not intended to replace legal advice. Should you have any questions on the technical aspect of selections, please seek legal advice. The Sports Tribunal has a Legal Assistance Panel at www.sportstribunal.org.nz/rule-and-procedures/legal/ or the Australia and New Zealand Sports Law Association Legal Contact List at www.anzla.com/content/legal-contact-list.

SELECTION GUIDELINES FOR NATIONAL SPORTS ORGANISATIONS

THE ESSENTIALS

Executive Summary – Contents

1. Importance and Implementation of a Selection Policy
 2. Role of Selectors
 3. Undertaking Athlete Selections
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SECTION 01:

IMPORTANCE AND IMPLEMENTATION OF DEVELOPING A SELECTION POLICY

A well-crafted Selection Policy is essential for NSOs to ensure fair, transparent, and performance-driven athlete selection for national teams. This part of the Guidelines sets out the purpose, legal status, and best practices for developing and applying a Selection Policy.

1. Purpose of a Selection Policy

- **Performance Alignment:** Ensures athlete selection supports the NSO's high performance goals.
- **Clarity and Transparency:** Provides clear criteria for athletes, coaches, and selectors, reducing confusion and disputes.
- **Fairness:** Establishes a consistent and transparent framework for decision-making.

2. Legal Status

- The Selection Policy is a **legally binding agreement** between the NSO and athletes, either through NSO membership or explicit agreement (e.g., signing an application form).
- It should be **clear, unambiguous**, and ideally reviewed by a **specialist sports lawyer** to ensure enforceability.

3. Supporting Documents

The Selection Policy should align with other key NSO documents, including:

- The NSO Constitution
- High Performance Strategy
- Eligibility Rules
- Athlete Agreements
- Other event-specific selection policies

4. Timing

- The Policy should be developed **well in advance** of relevant events or qualification periods.
- Retrospective application (i.e. where events have already happened) of selection criteria should be avoided to ensure the criteria is able to be fairly applied and perceptions of bias are avoided.
- A **clear timeline** for policy development, consultation, and approval is recommended.

5. Selection Policy Development

- Understand the specific needs and current goals of the NSO and the specific event the Selection Policy relates to. There is **"no one size fits all"** approach to the form and content of a Selection Policy.
- The drafting process should involve input from athletes or athlete representatives, coaches and high performance staff. Are the performance timelines/pathways and goals understood and agreed? It should also include any previous feedback from Selectors from implementation of previous selection policies.
- Where Board approval is required in the NSO process, early engagement with the NSO Board is crucial for timely approval.

6. Drafting the Selection Policy

Do not just reuse past versions. It may be that the structure of the Policy is consistent (provided it remains legally sound) so there is a familiarity of how the Policy works but the Selection Policy should be specific to the event.

Key Elements

Selection Policies should include the following elements:

(a) Scope

- Defines the events, age groups, and timeframes the policy covers.
- Specifies key dates for selection, trials, camps, and relevant competitions.

(b) Eligibility

Lists mandatory requirements for athletes to be considered eligible, such as:

- New Zealand citizenship.
- Any application process for athletes (e.g. signing athlete agreements, application forms, long list standards).
- Age/Weight limits.
- NSO membership.
- Clean disciplinary and anti-doping record.
- Medical and/or fitness requirements.
- International Federation requirements.
- Attendance at required events or trials.

(c) Performance Criteria

Outlines the performance standards athletes should meet within a performance window. May include:

- **Objective criteria** (e.g., rankings, times, placings, the performance window).
- **Subjective criteria** (e.g., potential for future success).
- Most policies use a combination to balance fairness and flexibility.

(d) Factors to Be Considered

Specifies mandatory and optional factors Selectors may use, such as:

- Results from key events.
- Technical and fitness assessments.
- Team dynamics and personal attributes.
- May include weighting of results to prioritize recent or international performances.

Ambiguity for any factor should be reduced to help the Selectors apply the criteria consistently and transparently.

(e) Exceptional (or Extenuating) Circumstances

- Allows Selectors to consider unforeseen events (e.g., injury, bereavement).
- Should clearly define what qualifies, how it will be assessed and when it should be submitted e.g. how will medical issues be taken into account and the process for notifying and considering them? Consideration should also be given to the process for athletes to be able to be treated fairly and have a right to be heard on any exceptional circumstances decision.

(f) Appeals

- Details the process and timelines for athletes to appeal selection decisions.
- Note, if there is no clause relating to appeals, the dispute provisions within the Constitution will apply and this may not be fit for purpose in relation to selection decisions. If there are no dispute provisions under the Constitution, then it may be subject to New Zealand law, such as judicial review which may not be cost or time effective.

- May include pre-appeal steps like meetings with the Chief Executive Officer, facilitated conversations or independent appeal review.

(g) Other Provisions

- Covers amendments, withdrawals, late selections, and reserves.
- Recommend keeping procedural details (e.g., Selector appointments) in separate documents to reduce appeal risks.

(h) Communication

- Clear, direct communication to athletes and the athlete entourage (coaches, parents, managers etc.) is critical to ensure all parties fully understand the criteria. Ensure there is an ability for them to be able to ask questions through each part of the process.
- Information and education on the Policy should be shared via meetings, written notices, and on the website. Athletes should be directed clearly to where all information is accessible on an ongoing basis.
- Any amendments should be communicated promptly and consistently. Take care to avoid retrospective application to avoid unfairness and perceptions of bias.
- All NSO personnel should refer athletes back to the official Selection Policy to avoid confusion.
- A summary document of the Selection Policy may be prepared as long as it is not inconsistent with the Policy and clearly states that in the event of any confusion, the Selection Policy, and not the summary, apply.

SECTION 02:

ROLE OF SELECTORS

This guidance outlines best practice for appointing, briefing, and supporting Selectors responsible for choosing athletes for national teams. It emphasises the importance of clear roles, transparency, and integrity in the process.

1. Role and Authority of Selectors

- The role and authority of Selectors should be clearly defined in writing, ideally through Terms of Reference and/or a position description.
- Selectors should follow the selection process strictly to avoid bias or other procedural errors.
- One of the Selectors should be designated as the Convenor to act as chair of the Selection Panel. The guidance document (i.e. Terms of Reference/Position Description) should be clear on the role of Convenor.
- Ongoing education and support to Selectors is essential, especially during appeals.

2. Appointing Selectors

- Selectors should have relevant expertise, independence, and availability.
- Clearly define the appointment process in the guidance document (i.e. Terms of Reference/Position Description), specifying whether Selectors are appointed via advertising, Board nomination or another method. Include measures to identify and manage conflicts of interest i.e. declarations.
- Ensure transparency in the process to build trust and credibility.
- Key qualities include sport experience, prior selection involvement, impartiality, ability to follow process, attention to detail, and teamwork. A panel of Selectors should have a balanced mix of these attributes.
- National/Head coaches or High Performance staff should generally not serve as Selectors due to potential conflicts of interest but should provide significant input into the process.
- For example, a National/Head Coach in all sports, but particularly in team sports, will provide significant tactical insight, team balance and alignment to strategic goals, but the final decision should be made by an independent Selection Panel. This balances the expertise with oversight (fairness, transparency and reduction of bias).

3. Briefing and Supporting Selectors

- Selectors should be thoroughly briefed on the Selection Policy (including the appeals process) and any updates.
- Selectors should not communicate directly with athletes about selection unless necessary for assessment.
- NSOs should recognize and appreciate the voluntary and challenging nature of most Selector roles. Each NSO will need to consider the support for Selectors on a case-by-case basis.

4. Managing Conflicts of Interest

- Conflicts may arise from personal relationships, coaching history, or club affiliations.
- These should be identified during the application process and disclosed immediately if they arise later.
- NSOs should have a clear process for managing conflicts, including Selectors stepping aside from decisions or being permanently replaced if needed where conflicts cannot be managed.

5. Communication

- Ensure Selectors are notified to athletes and the athlete's entourage (coaches, parents, manager etc).
- Any changes to the Selectors should be communicated in accordance with the relevant appointment mechanism.

SECTION 03:

UNDERTAKING ATHLETE SELECTIONS

A well-understood and consistently applied Selection Policy is essential for fair, transparent, and defensible athlete selection. This summary outlines the key steps and responsibilities involved in the selection process.

1. Understanding the Policy

- All Selectors and athletes should receive and understand the Selection Policy and any related documents (e.g., High Performance Strategy, Selector Terms of Reference). Athlete entourage (coaches, parents, manager etc) should also receive and understand the Selection Policy.
- Updates to these documents should be promptly shared to ensure everyone is working from the same information. Ensure the published version is current and available and in an easily accessible place such as the NSO's website.
- Education on the Selection Policy can be achieved in a number of ways e.g. workshops, webinars, squad meetings.

2. Eligibility Requirements

- Athletes must meet all eligibility criteria before being considered for selection.
- The High Performance Director/Manager typically gathers and verifies athletes meet all eligibility criteria. An athlete must be eligible before a Selector can proceed to examine performance criteria.

3. Gathering Information

- The Selection Policy should clearly define which events, results, and assessments should be considered.
- There should be a reference to any selection being dependent on factors such as qualification for an event or the availability of a quota place and what the NSO may choose to do with any quota place (i.e. ability to accept or return is solely at the discretion of the NSO).
- Mandatory information should be collected for all athletes and shared with all Selectors to ensure consistency.
- Observations (in person or via video) and assessments (e.g., fitness, technical) should be documented and shared with Selectors, with clarification on the expert who made the observation and assessment.
- Any medical assessments for injury or illness may only be provided to the Selectors with the consent of the athlete for the release of such medical information.
- If factors such as commitment, behaviour, injury, etc are considered, athletes should be given a chance to respond before decisions are made using the principals of natural justice. This means that an athlete is given a fair and genuine opportunity to present their case and respond to information that may affect them before a decision is made.

4. Fair and Consistent Evaluation

- All athletes should be assessed using the same criteria and information to ensure fair comparisons.
- Selectors should follow the Selection Policy and any NSO procedures, including quorum and meeting protocols.

5. Decision-Making Process

- Selection decisions should be made through structured meetings (preferably in person or via teleconference).
- Each athlete's eligibility and performance should be reviewed step-by-step against the criteria.

- Final decisions should be clearly reasoned, minuted, and documented in a report submitted to the appropriate NSO authority.
- The selection process usually has to be undertaken very quickly between the end of the performance window and the entry deadlines. This highlights the importance of the Selection Policy timelines and the Selectors ensuring the process is commenced as early as possible.

6. Confidentiality and Integrity

- All Selector communications and meetings should remain confidential.
- Coaches or High Performance staff outside of the Selectors may provide input but should not be present during final decision-making to avoid conflicts of interest.

7. Role of the Chief Executive, Board, and High Performance Director/Manager

- Clear Terms of Reference should outline the authority of Selectors and the limited role of NSO staff and Board members.
- Selectors, often volunteers, should be supported by NSO staff (e.g., High Performance Directors, CEOs) in a logistical or informational capacity only—without influencing decisions.
- It is generally not recommended for NSO staff to serve as Selectors due to potential conflicts of interest. Board members are not recommended to serve as Selectors unless (i) they do not have conflicts of interest (i.e., independent Board member) and (ii) they do have experience in processes and/or selection.
- If the Board or CEO has a role in ratifying selections, this should be carefully managed to avoid interference or procedural errors.

8. Communicating Selection Decisions

- The most appropriate person (e.g., national coach, HPD, CEO, or Selector) should inform athletes of their selection status prior to any public announcement. The athletes should be aware of who will communicate the selection decision and who will manage any wellbeing follow up.
- Non-selected athletes should also be communicated with sensitively, consistently and should be offered an explanation and the opportunity to meet with Selectors before any public announcement is made.
- Athletes should be informed of their right to appeal in accordance with the Selection Policy at the time of their non-selection. They should also be made aware they may want to get independent legal advice/advocacy assistance. Athletes may also need to be notified of any changes to selection timeframes in the event an appeal is made.
- All decisions should be followed up in writing, with clear explanations aligned with the Selection Policy.
- If selection is conditional (e.g., pending fitness), this should be clearly communicated to the athlete with deadlines and consequences. Reserve athletes should also be informed on the timing for conditions where there is an implication on whether they may be called to replace an athlete who does not meet their conditions.

9. Withdrawing Athletes After Selection

- The grounds and process for withdrawal should be clearly outlined in the Selection Policy, NSO athlete agreements and/or other relevant documentation. These may include injury, illness, rule breaches, performance decline, personal withdrawal, or successful appeals by others.
- The Selection Policy should also define procedures for replacing withdrawn athletes.

SECTION 04:

APPEALS

This summary outlines best practices for mitigating athlete selection appeals and managing them effectively when they arise. A fair, transparent, and well-documented process is essential to protect both athletes and NSOs.

1. Mitigating Appeals

To reduce the likelihood of appeals:

- Appoint qualified, unbiased Selectors with no conflicts of interest.
- Ensure selection documents are clear, consistent with the NSO's Constitution or other relevant documentation and High Performance strategy, and legally reviewed.
- Ensure the Selection Policy accurately reflects the intended performance criteria.
- Provide Selectors with briefings and where appropriate, review final decisions with legal counsel.
- Communicate non-selection decisions sensitively and consistently, offering athletes a chance to discuss their non-selection before public announcements.
- Ensure all communication aligns with the Selection Policy.

2. Appeal Resolution Options

Appeals can be costly and time-consuming. NSOs should:

- Establish a clear, fair, and transparent appeal process in the Selection Policy, in compliance with the Constitution.
- Consider steps that can be taken to encourage internal resolution before formal hearings (at the Sports Tribunal or CAS), such as:
 - Direct meetings with athletes
 - Independent facilitated discussions
 - Review by an Independent Appeals Commissioner
 - Internal tribunal hearings

Steps relating to resolution of selection disputes and appeals should be included within the drafting of the Selection Policy and strictly followed should an appeal occur.

3. Appeal Process Management

- Appeals should follow the rules outlined in the Selection Policy and/or other relevant documentation (i.e. a Selection Regulation).
- **NSOs should verify:**
 - The appeal is submitted in the correct format and timeframe.
 - Any required preliminary steps (e.g., meetings or facilitated discussions) have been completed.
- Legal advice should be sought to avoid procedural missteps. This should be sought early in the process if there is, or likely to be, a contentious issue.

4. Internal Coordination

- Assign a senior NSO staff member (e.g., HPD or CEO) to manage the appeal process and act as the sole point of contact and ensure athletes are aware of who this person will be (Appeals Manager). This may also be the Convenor of Selectors.
- Have the Appeals Manager collect and review all relevant documentation (e.g., eligibility forms, Selector notes, assessments) but do not share with the athlete until you have legal advice.
- Keep Selectors and the Board informed but maintain confidentiality and consistency in communication.

5. Filing and Grounds for Appeal

Athletes should file a formal **Notice of Appeal** with the Sports Tribunal within the timeframe set by the NSO's Selection Policy and [Sports Tribunal Rules](#).

- **Appeals should be based on specific grounds, such as:**
 - The Selection Policy was not properly followed.
 - The athlete had no reasonable opportunity to meet the criteria.
 - The decision was affected by actual bias.
 - The decision lacked a reasonable evidential basis.

For further guidance on appeal grounds please see the [Sports Tribunal website](#).

6. Pre-Hearing Process

- A **pre-hearing videoconference** is held to set timelines for document submissions and confirm the hearing date and panel members.
- Prior to the document submission deadline, the NSO should submit a **Statement of Defence** to the Sports Tribunal and gather supporting statements from Selectors and relevant staff.
- Selectors should prepare statements and submit all notes, minutes, and materials used in the selection decision as part of the Statement of Defence.

7. Hearing Procedure

- Hearings are structured but less formal than court proceedings and may be held in person or online.
- Both the athlete and NSO present their cases, including witness statements and evidence.
- The Tribunal may issue an oral decision quickly if time-sensitive, followed by a written decision.
- Selectors (or at a minimum, the Convenor of Selectors) should be available to attend or call into the hearing. While this may be a challenge due to the voluntary nature of Selectors, the pre-hearing videoconference should provide an opportunity to schedule the hearing at a suitable time for all participants.

8. Confidentiality and Media

- Tribunal hearings are confidential. Public disclosure of the appeal or its details is not permitted unless authorised by the Sports Tribunal.
- NSOs should prepare for potential media interest and seek PR advice if needed.

9. Tribunal Composition

- The Sports Tribunal typically consists of a three-member panel: one legal chair and two members with sports and/or legal experience.

SECTION 05:

SELECTION FOR ATHLETES TO COMMONWEALTH, OLYMPIC AND PARALYMPIC GAMES

This summary outlines the unique two-step process for athlete selection to the Commonwealth, Olympic, and Paralympic Games (“Games”), highlighting how it differs from standard international event selections managed solely by National Sports Organisations (NSOs).

1. Nomination vs. Selection

- NSOs nominate athletes for Games but do not make final selection decisions.
- Final selection is made by:
 - The New Zealand Olympic Committee (NZOC) for Olympic and Commonwealth Games.
 - Paralympics New Zealand (PNZ) for Paralympic Games.
- This distinction exists because only NZOC and PNZ can officially enter athletes into these Games.

2. Nomination Policy Requirements

NSOs should develop a Nomination Policy that:

- Aligns with the selection standards set by NZOC or PNZ.
- Complies with international qualification systems set by the sport’s global governing body.
- Clearly outlines mandatory and optional performance factors for nomination.
- Is approved by NZOC or PNZ and unless otherwise agreed, follows the templates provided to NSOs by these organisations.

3. Selection Process Overview

For these Games, the selection process involves four steps:

- Eligibility of the athlete (the athlete must meet the relevant requirements, e.g., age, citizenship, weight category, para classification, membership).
- Qualification/Allocation of a quota place. A quota place at the relevant Games must be obtained through qualification (for Olympic and Paralympic Games and for specific Commonwealth Games events) or a quota allocated for Open Allocation sports at the Commonwealth Games. Qualification or allocation of a place at a Games does not mean an athlete or team will be selected to the relevant Games team. The acceptance of a quota is at the sole discretion of the NZOC or PNZ, whichever is relevant.
- Nomination of the athletes by the NSO (usually done by the NSO’s Selectors) to the NZOC or PNZ; and
- Selection by the NZOC (for Olympic and Commonwealth Games) and PNZ (for Paralympic Games).

Final selections are typically announced jointly by the NSO and NZOC/PNZ.

4. Appeals Process

Athletes may appeal at two stages:

- Non-Nomination Appeal: Against the NSO for not nominating them or for nominating them but not in a preferred event (i.e. in Rowing you may have been nominated in an Eight but wanted to be in the Pair).

- Non-Selection Appeal: Against NZOC or PNZ for not selecting them after nomination.
- A successful Non-Nomination Appeal may lead to reconsideration but does not guarantee selection as the selection process still needs to be undertaken by the NZOC or PNZ, whichever is relevant
- Appeals should follow the procedures outlined in the Selection Policy and/or relevant regulations (such as the NZOC Nomination and Selection Regulation or PNZ Selection Regulation) and if it goes to the Sports Tribunal or CAS, the relevant rules for these entities.
- Appeals can only be made by athletes who are on the long list for the relevant Games.

NGĀ MIHI

Thank you

