



WATER POLO AUSTRALIA
SELECTION POLICY

Effective from 17 January 2015

REVIEW HISTORY

Version	Date Reviewed	Date Endorsed	Content Reviewed/Purpose
One	10 NOV 2014	Board Meeting 22 November 2014	None (New Policy)
Two	6 JAN 2015		Amendment to Item 9.4

1. Introduction

Water Polo Australia Limited (“WPA”) is the national governing body in Australia for the sport of water polo, as recognised by FINA and the AOC.

This Selection Policy (the “Selection Policy”) is made by WPA pursuant to the rule-making powers set out in the WPA Constitution. This Selection Policy comes into effect on the Commencement Date and shall remain in force until amended, repealed or replaced, at which time the Selection Policy shall apply with the changes so made included.

The purpose of this Selection Policy is to establish transparent and consistent criteria and procedures for the selection of athletes in all WPA national senior and junior squads and teams. In enacting this Selection Policy WPA intends providing certainty and clarity to athletes in the selection of Australian representative water polo squads and teams.

It is the athlete’s responsibility to read and understand the Selection Policy and to seek legal advice in the event that an athlete is unclear or uncertain about the operation or effect of the Selection Policy.

2. Definitions

In this Selection Policy the following capitalised terms have the corresponding meanings unless otherwise expressly stated:

AOC means Australian Olympic Committee.

Appeal Fee means the amount of \$500 which is payable by an athlete to WPA on the lodgment of an appeal against non-selection made in accordance with this Selection Policy.

Appeals Tribunal means an appeals tribunal formed in accordance with s 10C of this Selection Policy to hear appeals by athletes against non-selection.

Athlete Agreement means the WPA athlete agreement in the form prescribed by WPA and amended from time to time.

CEO means the Chief Executive Officer of WPA.

Coaches means those persons appointed as Head Coaches of a National Training Centre.

Commencement Date means 1 October 2013.

Constitution means the constitution of WPA.

Eligibility Criteria means the eligibility criteria set out at s 4 of this Selection Policy.

FINA means Fédération Internationale de Natation, the international governing body for the sport of water polo.

Head Coach means the person appointed by WPA as the Head Coach of a Team.

HPM means the High Performance Manager of WPA.

International Competitions means a water polo tournament or competition organised by FINA, WPA, LEN or the IOC involving teams representing individual nations.

IOC means the International Olympic Committee.

LEN means Ligue Européenne de Natation.

National Assistant Coaches mean an assistant coach of a National Team.

National Junior Coach means the head coach of each male and female age-dependant Australian water polo team.

National Junior Team means both the male and female under-age Australian representative water polo squads / teams (in each age group), as selected from time to time.

National Senior Head Coach means the head coach of each of the men's and women's WPA programs.

National Team means both the men's and women's senior Australian representative water polo squads / teams, as selected from time to time.

National Training Centre means a State Institute of Sport or State Academy of Sport that is a party to an agreement with WPA in respect of the training and preparation of elite water polo players.

National Water Polo League means the National League of Australia conducted by WPA.

Selection Criteria means the selection criteria set out at s 6 of this Selection Policy.

Selection Events means the selection events listed at s 6A of this Selection Policy.

Selection Panel means a selection panel appointed in accordance with s 5 to select a National Team or National Junior Team.

SIS / SAS means a State or Territory institute of sport or academy of sport responsible for the development of elite athletes in the relevant State or Territory.

Talent Camp means a camp organised by WPA to assess and develop elite water polo players.

Team means any National Team or National Junior Team.

Team Agreement means the WPA team agreement in the form prescribed by WPA and amended from time to time.

Training Camp means a camp organised by WPA from time to time to prepare a Team and its athletes for an International Competition.

WADA means the World Anti-Doping Agency.

World Championships means any aquatic World Championships conducted by FINA.

WPA Code of Conduct means the code of conduct of WPA in force and amended from time to time.

3. Selection Philosophy

As a statement of general principle, WPA's central philosophy in selecting athletes in its National Teams and National Junior Teams is to select eligible athletes whose current water polo achievements and results and / or previous major international-level water polo achievements and results indicate that the athlete is capable of being competitive in the sport of water polo at the international level.

WPA's intention is to select athletes from within its sport who are eligible for selection under this Selection Policy and who are capable of contributing to the National Teams and National Junior Teams. WPA may select any other athlete from outside the sport who is identified by WPA as being suitable for selection based on the criteria set out in this Selection Policy; provided that as soon as possible after any such athlete outside the sport is selected, that athlete does all things necessary to ensure that he or she satisfies in all respects the Eligibility Criteria.

National Junior Team will be selected with the following additional objectives:

- a) The selection of athletes identified as having the potential to develop into Australian senior international-level water polo players as part of the National Team.
- b) To prepare athletes for the transition into National Teams and elite programs conducted in conjunction.

National Teams and National Junior Teams will be selected by WPA pursuant to this Selection Policy on the basis that the sport of water polo is a team sport, meaning that the process of selection is designed to produce the best possible Team and not necessarily the best group of individual athletes.

The Selection Policy works through the application of the Eligibility Criteria and the Selection Criteria.

Any athlete with any questions regarding the interpretation or operation of the Selection Policy should contact the CEO or HPM.

4. Eligibility Criteria

In order to be chosen by WPA as a member of a National Team or National Junior Team each athlete must:

- a) Be, or be eligible to immediately become, a registered and financial member of a State or Territory water polo governing body that is a Member of WPA (as the term "Member" is defined in the Constitution); and
- b) be compliant with all applicable anti-doping policies, including those of FINA, the AOC and WPA; and

- c) be free from any injury or illness which will or has the potential to prevent the athlete from performing at the requisite level during the period that the selected Team is scheduled to compete; and
- d) Be compliant with any eligibility guidelines published from time to time by the IOC, FINA or the AOC, including rules and guidelines which apply to determine who is able to represent Australia in the sport of water polo.

5. Selection Panel

The Selection Panel for the National Teams will consist of the relevant National Senior Head Coach.

The Selection Panel for the National Junior Teams will consist of the relevant National Senior Head Coach and the relevant National Junior Coach (in the relevant age group in each case).

The Selection Panel may at its discretion appoint advisors to assist it on terms determined by the Selection Panel; however any such advisors do not have decision-making powers in terms of nomination for selection.

Final decisions in respect of nomination for selection shall be made as follows:

- a) In the case of a National Team, the final decision in respect of nomination of athletes for selection in that National Team shall be made by the relevant Selection Panel.
- b) In the case of a National Junior Team:
 - 1) In circumstances where:
 - (A) The relevant National Junior Coach is also engaged to coach a water polo club or team; and
 - (B) The Selection Panel intends nominating any athlete playing at that club or for that team for selection in the subject National Junior Team;

the intended nomination of any athlete playing at that club or for that team at which the National Junior Coach is a coach must, prior to the nomination by the Selection Panel, be approved by the men's or women's head coach (whichever is relevant) of the water polo program delivered at the SIS/SAS in the same State or Territory as the athlete's club or team.

Final decisions in respect of nominations for selection shall be made by the Selection Panel as comprised in accordance with this Selection Policy subject to any approval or other determination made by the relevant SIS / SAS water polo head coach.

- 2) In circumstances where clause 5(b)(1) does not apply, the final decision in respect of nomination of athletes for selection in a National Junior Team shall be made by the relevant Selection Panel.

The nomination by Selection Panel of an athlete for selection in any National Team or National Junior Team must be ratified by the CEO.

6. Selection Criteria

In order for a Selection Panel to nominate an athlete for selection in a National Team the athlete must in the sole opinion of the Selection Panel have satisfied the following requirements except where the Selection Panel, in its absolute discretion, decides that it is appropriate in all of the circumstances to waive, either in whole or in part, the obligations imposed on athletes by this s 6A:

A Selection Criteria - Selection Events

Subject to the requirements of the final paragraph of this s 6A regarding the criteria which must be satisfied for an athlete to be selected in a National Junior Team, the athletes must have participated in at least one of the following events within the previous 12 months prior to selection:

1. The National Water Polo League.
2. European water polo leagues conducted under the auspices of LEN.
3. Other international water polo leagues approved by WPA.
4. International Competition(s).
5. Training Camp(s).
6. Australian National Age Championships in the relevant age-group for selection.
7. Talent Camp(s).

Further to the above requirements of this s 6A, in order for an athlete to be selected in a National Junior Team, the athlete must have participated in the Australian National Age Championships last held prior to the selection date.

B Selection Criteria - Criteria Other Than Selection Events

Athletes who meet the Eligibility Criteria and the requirements set out in s 6A shall be eligible for selection in National Teams and (subject to age requirements) National Junior Teams.

Selection Panels shall select athletes in National Teams and National Junior Teams with an emphasis on ensuring a balance and mixture of talent, with particular regard to each athlete's demonstrated ability for teamwork and team cohesion, so as to best ensure the overall success of the team.

The Selection Panel shall apply the following criteria in selecting eligible athletes into Teams:

1. The demonstrated ability of an athlete to contribute to the appropriate balance of athletes across the various specialist playing positions, and achieve desired playing strategies.
2. An athlete's demonstrated possession of, or potential for improvement in, the following attributes: mental strength; decision-making ability; physique; aerobic / anaerobic capacity; speed and ball skills.
3. An athlete's performances in international and national water polo competitions, tournaments and matches during the period of 12 months prior to selection.
4. A demonstrated level of skill and physical fitness on the part of the athlete that is suitable for the athlete to perform at the level ordinarily expected in international-level water polo.
5. An athlete's demonstrated ability to meet the benchmark testing and training standards as set by the relevant National Coach from time to time.
6. An athlete's demonstrated ability to work with coaching staff, team officials and other athletes.
7. A demonstrated positive attitude and commitment to WPA regarding national representation and compliance with applicable codes of conduct.

Water polo is a team sport. Athletes are hereby advised that subjective factors have material relevance in the process of a Selection Panel selecting a Team. Material factors which apply to the selection of Teams include ensuring that athletes who are selected are:

1. Socially compatible within a team environment;
2. Able to develop positive rapport with other team members; and
3. Able to co-operate with and be receptive to coaching and support staff associated with the Team.

C Illness / Misadventure / Extenuating Circumstances

WPA and the relevant Selection Panel will not have any regard to any extenuating circumstances in assessing whether an athlete has met the Eligibility Criteria set out in s 4 of this Selection Policy or the Selection Criteria set out in s 6B of this Selection Policy.

The relevant Selection Panel may in its absolute discretion give regard to the extenuating circumstances experienced by an athlete in determining whether the athlete has satisfied the Selection Criteria set out in s 6A of this Selection Policy.

For the purposes of this Selection Policy "extenuating circumstances" means an inability to compete in or attend Selection Events because of a certified injury or illness; travel delays outside of the control of the athlete; bereavement or inability to travel arising from death or serious illness of an immediate family member; and / or any other factors reasonably considered by the National Coach to constitute extenuating circumstances.

In order for a Selection Panel to consider the case of extenuating circumstances in respect of the possible selection of an athlete in a National Team or National Junior Team the following requirements must have been met:

1. An athlete seeking to have a Selection Panel consider the athlete's extenuating circumstances must have advised the National Coach in writing of the fact that the athlete is unable to compete in a relevant Selection Event before the commencement of the relevant Selection Event.
2. That written notice must set out all of the relevant facts, matters and circumstances specifying why the athlete is unable to participate in the Selection Event because of extenuating circumstances.
3. In the case of extenuating circumstances by reason of illness or injury the athlete must supply medical certification, in a form approved by WPA, of the illness or injury and the fact that the illness or injury prevented the athlete from participating in the Selection Event. The athlete must also submit to medical examinations by practitioners nominated by WPA.

D Selection Discretion

WPA, and its Selections Panels, has the sole and absolute discretion to determine whether:

1. An athlete has met the requirements of this Selection Policy.
2. An athlete has not met the requirements of s 6A of this Selection Policy but is still eligible for selection by WPA by reason of extenuating circumstances.
3. An athlete should not be selected for membership of the Team, notwithstanding that the Athlete has met the requirements of this Selection Policy (in circumstances where this clause 6(D)(3) applies WPA will provide the athlete with reasons for the decision made).
4. Whether or not the maximum number of athletes should be selected in a Team (by reference to the relevant rules of a competition, tournament or event) regardless as to the number of Athletes who may have met the requirements of this Selection Policy

7. Dates of selection

To assist with athletes and coaches understanding when Teams will be selected below are general guidelines which may be subject to change:

1. Senior National Squads: selected based upon the "Athlete Winning Edge" nomination list submitted in April and October annually to the Australian Institute of Sport.
2. Senior National Teams: selected in accordance with the relevant International Competition team submission deadlines as stipulated by the relevant organising committee.

3. Junior / Youth National Squads: selected following the relevant top-age National Championships as indicated prior to the competition as a key selection event.
4. Junior/Youth National Teams: selected in accordance with the relevant International Competition team submission deadlines as stipulated by the organising committee.

All squads / teams will be reviewed based on performances at relevant Selection Events throughout a 12 month period and may be changed at the discretion of the respective National Coach and Selection Panel.

8. Announcements

Athletes selected by a Selection Panel for a Team shall be announced in accordance with the procedure set out below:

1. The Selection Panel submits the Team list to the CEO for ratification.
2. Following ratification, selected athletes will be notified directly by the National Coach of the relevant Team either verbally or in writing on an individual basis.
3. Any athlete de-selected based on previously being a member of the relevant Team the most recent time it was selected will also be individually notified directly by the National Coach either verbally or in writing, provided that the athlete has not officially retired from international water polo in the intervening period.
4. After all selected athletes have been notified an announcement of the Team will be made via the WPA website and media release for appropriate Teams. The process to be followed for the purposes of notifying any such “de-selected” athlete shall be agreed in advance with the HPM.
5. All media enquiries regarding the Team announcement will be directed to the WPA Media Coordinator.
6. All enquiries regarding selection of athletes will be directed to the respective Selection Panel.

Through the National Athlete Career and Education network associated with State Institute of Sport and Academy of Sport programs, WPA will provide contact names of service providers who can counsel athletes regarding selection and non-selection. These details will be provided upon the request of an athlete, a National Coach, a National Training Centre coach or if otherwise deemed appropriate.

9. Requirements after selection

Following an athlete’s selection to a Team they must adhere to the following requirements to accept and maintain their position in the Team:

1. Agree to abide by the WPA code of conduct and sign the relevant Athlete Agreement and Team Agreement.

2. Maintain appropriate medical health and absence of injury or illness that allows them to perform at the satisfactory level in line with this Selection Policy.
3. Maintain performance standards in line with this Selection Policy.
4. **Actively participate in the appropriate elite training program within the WPA Athlete Pathway as identified by the National Head Coach and communicated by WPA**

10. Appeal process

A Grounds for Appeal

The sole grounds upon which an athlete may appeal his or her non-selection in a Team are:

1. The Selection Policy has not been properly followed or implemented.
2. There was no material on which the decision of the athlete's non-selection could reasonably be based.
3. The selection process was tainted by bias.
4. The selection decision was made in bad faith, dishonestly or perversely.

B Selection Appeal Process

1. An athlete wishing to appeal against non-selection in a Team must deliver a written notice of appeal to the CEO by no later than 5.00pm in Sydney, Australia on the second day following the notification to the athlete of the decision the subject of the appeal.
2. The notice of appeal must set out the grounds on which the appeal is made, by reference to clause 10(B)(3) below. The notice of appeal must be accompanied by payment by the athlete of the Appeal Fee.
3. The athlete shall not be permitted to rely on any grounds in an appeal other than the grounds which are set out in the notice of appeal. Appeals by athletes are limited to one or more of the grounds set out in s 10(A) only.
4. After lodging the notice of appeal as set out in s 10(B)(3), the athlete making the appeal must deliver to the CEO a written summary of all facts, matters and circumstances that the athlete wishes to be considered in support of the athlete's appeal against non-selection. The athlete must also deliver to the CEO an outline of all evidence that the athlete relies upon in support of the appeal.
5. This documents referred to in s 10(B)(4) must be received by the CEO by 5.00pm in Sydney, Australia on the fifth day following the notification to the athlete of the decision the subject of the appeal.
6. An athlete who has lodged an appeal against non-selection may at any time withdraw the appeal.

7. The time limits prescribed in this s 10B fee are mandatory. The failure by an athlete to comply with these time limits will result in an appeal being declared void except in circumstances where an Appeals Tribunal in its absolute discretion grants an extension of the relevant time limit. Athletes should however expect that non-compliance with the timeframes required by this s 10B will result in an appeal being declared void.

C Appeals Tribunal

Composition of Appeals Tribunal

The Appeals Tribunal shall be constituted as follows:

1. A barrister, solicitor or legally qualified person, who will act as chairman of the Appeals Tribunal;
2. A person with a thorough knowledge of the sport of water polo and who preferably has had recent international competition experience; and
3. A person of experience and skills suitable to the function of the Appeals Tribunal and familiar with elite team sport selection processes and documentation.

Functions of the Appeals Tribunal

1. The Appeals Tribunal has no power of selection or re-selection in respect of any athlete or any Team. If the Appeals Tribunal considers the grounds upon which the athlete appeals to be made out, the Appeals Tribunal shall refer the question of re-selection back to the Selection Panel for determination in accordance with this Selection Policy.
2. The Appeals Tribunal may review the facts, matters and circumstances of the appeal and may (as appropriate) refer the matter back to the Selection Panel and direct that the Selection Panel reconsider the matter, giving reasons why the Selection Panel should do so.
3. The decision of the Appeals Tribunal will be binding on the parties and no party may institute or maintain any proceedings in any court or tribunal other than the Court of Arbitration for Sport. The sole grounds which a decision of an Appeals Tribunal may be appealed to the Court of Arbitration for Sport are:
 - a) That there was a breach of the rules of natural justice by the Appeals Tribunal; or
 - b) That the decision of the Appeals Tribunal was in error on a question of law.

Appeal Hearing

1. The Appeals Tribunal shall, as soon as practical after receiving the appeal documents, investigate and consider the matter and determine whether:
 1. the appeal should be dismissed because, in the opinion of the Appeals Tribunal there is no reasonable prospect of the appeal succeeding because of the:
 - 1) grounds upon which the appeal is made; or
 - 2) facts, matters and circumstances on which the athlete relies; or
 2. In all other circumstances, that the appeal should be the subject of a hearing as set below.
2. A decision of the Appeals Tribunal that an appeal should be dismissed without a hearing, on either of the bases set out in the preceding paragraph, is final.
3. If the Appeals Tribunal determines to dismiss an appeal without a hearing, the appellant's Appeal Fee is forfeited to WPA as the costs of the appeal.
4. If the Appeals Tribunal determines that a hearing on an appeal shall take place, the Appeals Tribunal will advise the athlete accordingly and set the date for such a hearing as soon as is practicable and necessary having regard to the timing of selection and the proximity of relevant events for which the Team has been selected.
5. Appeals Tribunal hearings are bound by the following requirements:
 - a) It must observe the principles of natural justice.
 - b) It is not bound by the rules of evidence and may inform itself as to any matter in such manner as it thinks fit.
 - c) It will conduct its hearings with as little formality and technicality and with as much expedition as the proper consideration of the matter permits.
 - d) Hearings may take place in such manner as the chairman of the Appeals Tribunal determines, including by way of teleconference and video conference.
 - e) An athlete must establish one or more grounds upon which he appeals to the reasonable satisfaction of the Appeals Tribunal given the importance and gravity of the issue.
 - f) Parties shall only be allowed to be legally represented before the Appeals Tribunal upon the Appeals Tribunal granting leave, such leave which may be granted or refused at the absolute discretion of the Appeal Tribunal and on whatever terms as which are determined by the Appeals Tribunal.

- g)** Otherwise than set out in sub-sections (a) to (f) the Appeals Tribunal may conduct an appeal hearing as it sees fit.
- 6.** A decision of the Appeals Tribunal may be made unanimously or by a majority decision of the members of the Appeals Tribunal.
- 7.** The Appeals Tribunal shall notify the CEO and the athlete of its finding as soon as practicable having regard to the timing of selection and the proximity of relevant events for which the Team has been selected. The Appeals Tribunal shall give written reasons for its decision.
- 8.** The Selection Panel shall comply with any decision of the Appeals Tribunal to refer the question of selection or re-selection back to the Selection Panel for determination in accordance with this Selection Policy
- 9.** Any subsequent decision of the Selection Panel under the direction of the Appeals Tribunal shall be final and binding, and no other further appeal shall be available to the athlete in respect of that selection
- 10.** Where the Appeals Tribunal considers that a ground of appeal has been made out, the Appeals Tribunal may order that all or part of the Appeal Fee be refunded to the athlete.

11. Amendment of Selection Policy

This Selection Policy may be amended at any time by WPA in accordance with the provisions of the Constitution.