

# APPEALS POLICY AND PROCEDURE



## Introduction

1. The Football Foundation and the Premier League Stadium Fund are committed to working in an open and accountable way to provide a high quality and professional service. Despite this commitment, we recognise that there are occasions where an individual, applicant or club may not be completely happy with the decision that has been made concerning their grant application. This document outlines the principles and process for appealing a funding decision.
2. In this Policy and Procedure, the abbreviation “Foundation” will refer to both the Football Foundation and the Premier League Stadium Fund, as will all reference to “we” and “us”.
3. Appeals are managed by our Director of Business Services, but this responsibility will be taken on by another Director in their absence.

## Scope

4. If you disagree with a grant decision we have made, you may be able to submit an appeal. The grounds for appeal are limited, but an appeal may be considered if:
  - You believe that we did not follow our procedure or that we did not reasonably apply our procedures.
  - You can show that we misunderstood or misinterpreted a significant part of your application or failed to take account of information contained in your application.
  - You believe that we didn't assess your application fairly or accurately.
5. It is extremely unlikely that we will consider an appeal on any other grounds.
6. In general, if an appeal is made purely in response to not meeting the eligibility criteria of a Foundation scheme or programme, it is unlikely that the appeal will be taken beyond the first stage of our process. Similarly, an appeal is unlikely to be successful if based solely on the grounds that you are disappointed by the Foundation's decision.

## Appeal stage one

7. To make an appeal, you need to set out your position in writing, explaining the grounds for your appeal. Where you are making an appeal on behalf of a club or an organisation and are authorised to act on their behalf, please also make this clear in your letter/email to us. This will help to clarify the issue and your relationship with the club/organisation, and avoid any possibility of misunderstanding or misinterpretation. Your appeal should be emailed to [enquiries@footballfoundation.org.uk](mailto:enquiries@footballfoundation.org.uk) or sent to The Football Foundation, Wembley Stadium, Wembley, HA9 0WS, and addressed to the Director of Business Services.
8. Within three working days of receiving your appeal, we will write to you to confirm we have received it.

9. The Director of Business Services will assess all the available information. Where further details are needed, you might be asked to provide the necessary information or to participate in a call to talk through the details. In these circumstances, additional time may be needed to respond to your concerns. The Director of Business Services will then consider the information in light of your reasons for making the appeal.
10. Within fifteen working days, or an extended period where further details have been requested, the Director of Business Services will respond to tell you the outcome and explain any action we propose to take.

### **If your appeal is upheld**

11. If your appeal is upheld, your funding application will be re-evaluated internally by an assessor not previously involved with your funding application. It will then be re-presented for consideration by the Grants Panel/Board (depending on the grant value). If your appeal is upheld and your application is re-assessed in this way, this does not mean that an award will be offered.
12. The Director of Business Services will write to you to let you know that your application is being re-assessed and the timescales that we are working towards. You will then be informed in writing of the outcome in due course.

### **If your appeal is rejected**

13. If after considering your case, the Director of Business Services does not uphold your appeal request, they will write to you to let you know.

### **Appeal stage two**

14. If you have appealed against a funding decision and are not satisfied with the response/result at stage one, a further appeal may be made in writing addressed to the Director of Business Services. This should again explain the grounds for your ongoing appeal. The scope of an appeal at stage two is restricted as they are for stage one.
15. Your appeal will be referred to an independent adjudicator, who is not part of our organisation, and whose investigations and recommendations will be independent. The adjudicator will assess all the available information. If it appears there may be grounds for further investigation, the independent appeal process will begin.
16. The Director of Business Services will write to you to let you know whether your case will be progressed by the independent adjudicator, and if not, the reasons behind the adjudicator's decision. The adjudicator's decision as to whether your case will be progressed will be final.
17. Fresh information which was not available to the original project assessors will not be taken into account by the adjudicator, although this may influence any action that they recommend.
18. The adjudicator's assessment will be carried out in the same way a new application would be examined by a project assessor. Where needed, they might ask you or members of the Foundation team who contributed to the assessment for clarification. The adjudicator may also visit the site if they feel this will help them in the process. In

rare cases, the adjudicator might need to seek advice from a lawyer or other professional.

19. When their assessment is complete, the adjudicator will prepare a confidential report, which will include the outcome of their investigation. They will then write to you to tell you what their recommendation to the Foundation will be.
20. The report will be considered for the Foundation by an Appeals Panel. This Panel will be made up of a small group of nominated Grants Panel Members, the majority of which will be independent Members of the Grants Panel, i.e. those not working for the Foundation or our funding Partners.
21. The Appeals Panel will then make a recommendation to the wider Grants Panel, or Board if appropriate, for final agreement.
22. The Director of Business Services will write to you to inform you of the Grants Panel/Board's decision on your appeal. The Grant Panel/Board's decision will be final.

### **Stage two appeal time frame**

23. The Foundation appreciate the importance of managing appeals in a timely fashion. The below time scales provide an indication of what the Foundation will endeavour to meet:
  - Referrals to an independent adjudicator will take place within three weeks from receipt of the appeal letter/email.
  - The Director of Business Services will agree with the adjudicator whether the appeal falls under a simple, medium, or complex category.
  - Simple appeals should take no more than one month to complete from the time it is referred, medium appeals should take no more than two months and complex appeals no more than three months.
24. It must be accepted, however, that facility projects can be complex, with detailed and technical specifications and despite our best endeavours we won't always be able to meet these timeframes. In this circumstance, the Director of Business Services will explain the reasons for any delay and will let you know the expected timescale for any response.

### **Our records**

25. At all stages of the process, written records will be kept showing:
  - the nature of the appeal;
  - any communication between you and the Foundation;
  - any related supporting documents and reports; and
  - any action that is proposed or taken.
26. Along with the above information, any personal information you provide to us when making an appeal will be handled in line with our Privacy Statement.

27. The case information will be shared internally as required to manage your appeal. It may also be shared with external organisations when they are helping us to deal with an appeal, as an example, advice from a lawyer or other professional.

### **Policy review**

28. The Foundation is committed to keeping this document current and relevant. It will be monitored and reviewed every two years and may also be amended from time to time to reflect any changes in legislation, regulatory guidance, or internal policy decisions.

29. This document is approved by the Foundation Board of Trustees every two years and in between times if significant revision is required.

**Football Foundation**  
**December 2023**

