



ENGLISH SCHOOLS' SWIMMING ASSOCIATION

Patron: H.R.H. The Prince of Wales

ESSA - Protests and (Protest) Appeals Protocol – Swimming (Effective September 2026)

Scope

1. This document sets out the protocol for making handling of protests and appeals during ESSA competitions.
 - a. Protests and (Protest) Appeals during competitions held in England and promoted by ESSA which are licensed under Swim England regulations and rules shall follow the relevant Swim England Regulations and Technical Rules.
 - b. Protests and (Protest) Appeals during swimming competitions held in England and promoted by ESSA which are not licensed under Swim England regulations shall follow the Appeals process set out in this document¹. A referee may accept an initial protest in their discretion based on Swim England Regulations and Technical Rules, but any appeal must then follow the process below.

Appeals

2. An Appeal may be made only by a representative of a school taking part in the competition.
3. There are no grounds for appeal other than any decision of a Referee as to the consequence of an Athlete's rule infraction.
4. An Appeal must be made in writing as soon as reasonably practicable after the relevant event:
 - a. Appeals must be made to the Promoter or their representative in the control room.
 - b. Appeals must be made on the official ESSA Protest and Appeal form, as published on the ESSA website (Events | Regulations and Rules).
 - c. Appeals must be accompanied by the appropriate fee as specified in the conditions for the competition.
 - d. The Appeal Form must be submitted within thirty (30) minutes of completion of the relevant event.
 - e.
5. The Promoter or their representative will communicate the appeal to the Chairperson of the Jury of Appeal, who will review the appeal and determine its validity as soon as reasonably possible following its submission.
 - a. If the Chairperson of the Jury of Appeal determines that the appeal is invalid, the matter will not proceed further and the fee will be forfeited.
 - b. If the Chairperson of the Jury of Appeal determines that the appeal is valid, the appeal will be communicated to the Jury of Appeal for determination.
 - c. The decision by the Chairperson of the Jury of Appeal regarding validity is final.

¹ The process set out in this document is based on the World Aquatics Competition Regulations Version February 2026 (updated 18.02.2026) -<https://www.worldaquatics.com/rules/competition-regulations>. – adapted for suitability to ESSA competitions.

6. The Jury of Appeal will render a final reasoned decision on a valid appeal as soon as reasonably practical.
 - a. If the Jury of Appeal upholds the appeal (in full or in part), the fee will be returned to the appellant (less any handling charges, and the appropriate remedy or course of action will be determined on a case-by-case basis by the Jury of Appeal.
 - b. If the Jury of Appeal dismisses the appeal, the fee will be forfeited.
7. Where no Jury of Appeal is appointed, Promoter or their representative in their discretion will either pass the appeal to a Referee or to the Honorary General Secretary of ESSA who may, in their discretion, appoint an Appeals Panel after the competition to deal with the Appeal as if it had been made in accordance with the protocol above.
8. There is no appeal against a decision of an Appeal.

Payment of Appropriate Fees

9. Fees for Appeals shall be made in cash at the time of submission of the Protest or Appeal.
10. An Appeal shall not be addressed unless the fee has been paid within the relevant timescale, unless the fee has been waived by the Promoter.
11. Alternative means for payment e.g. card payment may be made available.
 - a. If this option is made available and the Appellant opts to choose this method of payment, any handling charges of the provider of that means shall be forfeit, regardless of the outcome of the Appeal.

Jury of Appeal

12. The Jury of Appeal will be composed of three (3) members, one (1) of whom will be the designated Chairperson.
 - a. The three (3) members will be appointed by the Technical Director or the Promoter (whichever is available).
 - b. Jury of Appeal members must not serve on a Jury of Appeal if they have a conflict of interest. Jury of Appeal members declare any possible conflicts of interest in advance of their appointment, and have an ongoing obligation to declare any possible conflicts of interest that may arise.
 - c. If a possible conflict of interest arises, the Technical Director or the Promoter will determine whether a conflict exists and whether the member should be recused.
 - d. A fourth individual may be appointed to act as a standby Jury of Appeal member in the event that an appointed Jury of Appeal member recuses themselves due to a conflict of interest.
13. The Jury of Appeal rules of procedure:
 - a. The Jury of Appeal may determine its own procedure. It may (for example) consult video footage, documents and witnesses when considering the appeal, and/or consult any other potentially impacted party, in person or in writing.
 - b. Decisions of Referees will be afforded a significant degree of deference. The Jury of Appeal will not substitute its view of the appealed matter for that of the Referee, unless the appellant presents clear evidence that the Referee's decision was made arbitrarily, irrationally, or in abuse of the discretion afforded to the Referee.
 - c. Each member of the Jury of Appeal will have one (1) vote and decisions will be made by majority.
14. The decision of the Jury of Appeal is final.
15. For the avoidance of doubt, possible breaches of the eligibility rules are not subject to appeal pursuant to this protocol and are matters for investigation by the Promoter.