



# Vision Impairment Classification Procedures

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# Part One: General Provisions

A list of definitions and abbreviations is provided in Part Twelve of these Classification Procedures.

## Scope and Application

### *Scope*

- 1.1. These Classification Procedures (“**Procedures**”) are supplemented by a number of Classification forms. These forms are available from Paralympics Australia (PA) and can be amended by PA from time to time.

### *Classification*

- 1.2. Classification is undertaken to:
  - a) define who is eligible to compete in Vision Impairment Para-Sport; and
  - b) group Athletes into Sport Classes according to how much their impairment affects fundamental activities in each sport or specific discipline.

### *Application*

- 1.3. These Procedures apply only to Para-Sport Competition and Classification for Athletes with a Vision Impairment (VI) that sit within the scope of the International Paralympic Committee (IPC) Athlete Classification Code and the relevant International Sports Federation (IF) rules. These Procedures do not apply to Athletes with other disabilities or impairments involved in Para-Sport.
- 1.4. These Procedures do not apply to International level Competition and Athlete Evaluation. International Level Athlete Evaluation and Competition is governed by the International Federations and their respective Classification Rules.
- 1.5. These Procedures apply to:
  - a) All Athletes and Athlete Support Personnel who engage with PA for the purposes of VI classification and/or participate in any Events or Competitions organised, authorised or recognised by PA;

- b) PA employees, contractors and volunteers;
- c) PA Member organisations; and
- d) Any other person or organisation who is engaged by PA to support Classification activities.

**1.6. These Procedures must be read and applied in conjunction with the respective National Sports Organisation Classification rules.**

### ***Interpretation and Relationship to other key documents***

- 1.7. These Procedures are to be applied and interpreted as an independent text but in a manner that is consistent with the IPC Athlete Classification Code, the PA Athlete Classification Policy and Classification Standards, the respective International Federation Procedures and the respective National Sports Organisation (NSO)/National Sports Organisation for Athletes with a Disability (NSOD) Classification Rules.**
- 1.8. In the event that these Procedures fail to provide for a matter covered by a provision in the respective International Federation Rules or PA Athlete Classification Policy or Classification Standards, the provisions appearing in the respective International Federation Rules or PA Athlete Classification Policy or Classification Standards shall apply and be regarded as being part of these Procedures.**
- 1.9. In the event of any conflict between these Procedures and any other document, these Procedures shall take precedence.**

### ***Amendments to the Procedures***

- 1.14. These Procedures may be amended at anytime by PA as a result, for example, of changes in the respective International Federation Classification Rules or where PA considers it necessary to do so.**

## *International Federation Classification Rules & International Level Classification*

- 1.15. Australian Athletes who hold an International Level Classification will use the respective International Federation allocated class for all national level Competition.
- 1.16. International Level Classification outcomes supersede any National and Provisional level Classification.
- 1.17. Where an Athlete holds an International Level Classification, but no longer wishes to compete at an International Level, the Athlete shall retire from International Competition through the respective International Federation's processes.
- 1.18. Following the Athlete's retirement, if the Athlete wishes to continue competing at a National level, the Athletes International Federation allocated Sport Class and Sport Class Status shall be converted to a National Level Classification. For the avoidance of doubt, Athletes with a Review Sport Class Status that was allocated by their respective International Federation will be allocated a National Review status; Athletes with Confirmed or Fixed Review Date status will also be allocated National Confirmed and National Fixed Review Date accordingly.

## *National Level Classification Requirements*

- 1.19. PA will provide opportunities for Athletes to be allocated a Sport Class and Sport Class Status in accordance with these Procedures at Recognised Competitions or other such locations or processes as defined and approved by PA. PA will provide Athletes with advance notice of Classification opportunities.
- 1.20. In order to access Classification opportunities an Athlete must be eight years of age.

## *Roles and Responsibilities*

- 1.21. It is the personal responsibility of Athletes, Athlete Support Personnel, and Classification Personnel to familiarise themselves with all the requirements of these Procedures.

## ***Athlete Responsibilities***

### **1.22. The roles and responsibilities of Athletes include to:**

- be knowledgeable of and comply with all applicable policies, rules and processes established by these Procedures;
- participate in Athlete Evaluation in good faith;
- ensure when appropriate that adequate information related to their Health Conditions/Diagnosis and Eligible Impairments is provided to PA;
- cooperate with any investigations concerning violations of these Procedures;
- contribute to the process of education and awareness, and Classification research; and
- abide by the PA Code of Conduct.

## ***Athlete Support Personnel Responsibilities***

### **1.23. The roles and responsibilities of Athlete Support Personnel include to:**

- be knowledgeable of and comply with all applicable policies, rules and processes established by these Procedures;
- use their influence on Athlete values and behaviour to foster a positive and collaborative Classification attitude and communication;
- assist in the development, management and implementation of the Classification System; and
- cooperate with any investigations concerning violations of these Procedures.

## ***Classification Personnel Responsibilities***

### **1.25. The roles and responsibilities of Classification Personnel include to:**

- have a complete working knowledge of all applicable policies, rules and processes established by these Procedures;
- use their influence to foster a positive and collaborative Classification attitude and communication;

- assist in the development, management and implementation of the Classification System, including participation in education and research; and
- cooperate with any investigations concerning violations of these Procedures.

## Part Two: Classification Personnel

### Classification Personnel

**2.1. Classification Personnel are fundamental to the effective implementation of these Procedures. PA will appoint a number of Classification Personnel, each of whom will have a key role in the organisation, administration and delivery of VI Classification for PA. Classifiers are PA officials responsible to conduct Athlete Evaluation according to the specific requirements of PA.**

**2.2. PA will appoint Classification Personnel to:**

- Facilitate Compliance with the IPC Code, IF Classification Rules and PA Athlete Classification Policy and Standards.
- Development of PA VI classification program, policies and procedures and expectations of their members.
- Development of a VI Classification program plan including short and long term planning.
- Management of PA VI Classification budget and financial reporting.
- Manage VI Classification Personnel recruitment, training and performance management.
- Embed safeguards and integrity practices within the PA VI Classification program including but not limited to: child safety, physical and mental wellbeing support, dispute resolution processes; management of Classification Intelligence, Investigations and Intentional Misrepresentation.
- Plan and organise National level VI Athlete Evaluation opportunities and appointment of Classification Panels.
- VI Classification Data Storage and protection

- Management of the PA VI Classification database.
- Develop and deliver VI Classification education and awareness programs for stakeholders.
- Manage VI Classification Research and Administration.
- Implement changes to VI Classification Systems.
- Appoint a key VI Classification contact for communication with the IPC, other NPCs and other key stakeholders.

**2.3. PA may delegate the above responsibilities to one or a number of key personnel including but not limited to:**

- A Classification Manager/Coordinator;
- Classification Administrator for data management purposes;
- PA appointed Classification Advisory Panel or Appointed Head of Classification;
- An Athlete representative/s;
- Any other area of PA business; and
- PA members or other organisations by way of agreement.
- Any PA VI Classifier designated with some or all of the above responsibilities by PA may also be appointed as a Classifier and/or Chief Classifier at any Classification opportunity/Event.

**2.4. Any PA VI Classifier designated with some or all of the above responsibilities by PA may also be appointed as a Classifier and/or Chief Classifier at any Classification opportunity/Event.**



## Classifier Roles

### *Chief Classifier*

2.5. A Chief Classifier is a Classifier appointed by PA to direct, administer, co-ordinate and implement Classification matters for a specific Competition or classification opportunity. PA may appoint a specific Chief Classifier, or not, at its sole discretion.

### *National Level Classifiers*

2.6. A National Level Classifier is a person authorised as a PA official and certified by PA to conduct some or all components of National Level Athlete Evaluation as a member of a Classification Panel.

2.7. Australian Classifiers who hold an active International Level Classifier Certification, are:

- recognised by PA as meeting the necessary competencies as a national level Classifier; and
- expected to contribute to PA Classification at a national level, unless their conduct or other certification requirements prevent it.

### *Trainee National Level Classifiers*

2.8. A Trainee National Level Classifier is a person who is in the process of formal National Level training by PA.

2.9. PA may appoint Trainee Classifiers to participate in some or all components of Athlete Evaluation under the supervision of a Classification Panel, to develop their Classifier Competencies.

### *National Classifier Certification and Competencies*

2.10. A National Level VI Classifier will be certified by PA once they have achieved the relevant Classifier Competencies.

2.11. PA will provide training and ongoing education to Classifiers to ensure Classifiers obtain and/or maintain Classifier Competencies.

2.12. Classifier Competencies and pre-requisites include:

- an understanding of these Procedures;
- a basic understanding of Vision Impairment Para-Sports ;
- a basic understanding of the IPC Athlete Classification Code, PA Athlete Classification Policy and Classification Standards;
- candidate holds a current Working with Children clearance in the state of residence and appointment;
- holds valid Professional Indemnity Insurance; and
- currently registered Ophthalmologist, Optometrist or Orthoptist with clinical experience with people with low vision.

**2.13. PA has established a process of Classifier Certification by which Classifier Competencies are assessed. This process includes:**

- a process for the certification of National Level VI Classifiers (if relevant);
- quality assessment and ongoing education for the period of certification;
- a process for handling substandard performance, including options for remediation and/or withdrawal of certification;
- a process for Re-certification of VI Classifiers; and
- a process for non-active National level VI Classifiers.

**2.14. PA may modify the Classifier scope and certification requirements as it deems necessary from time to time.**

***VI Classifier Education model***

**2.15. The VI Classifier Education model will follow:**

- Theoretical modules (online or face to face)
- Practical learning opportunities – both formal and informal
- Ongoing education
- Recertification requirements

### ***National Level VI Classifier Certification***

- 2.18. Certification of Classifiers is completed once a PA Sport Technical Official - Classifier Agreement has been signed by the National level Classifier.
- 2.19. Classifier details will be stored according to PA Privacy Policy.

### ***Maintaining Certification as a National Level Classifier***

2.20. To retain certification as a PA National Level VI Classifier, the Classifier must:

- Participate in a minimum number or scope of Classification activities over a prescribed period of time;
- Complete compulsory ongoing professional development opportunities, such as forums, updates, discussion boards, peer mentoring and other formal and informal methods;
- Complete any compulsory reflective practice opportunities; and
- Maintain professional registrations or clearances (such as Working with Children) relevant to the role of Classifier.

### ***Classification Personnel Code of Conduct***

2.21. The integrity of Classification in PA depends on the conduct of Classification Personnel. All PA Classification Personnel must comply with the terms outlined in the PA Code of Conduct and PA Sport Technical Official - Classifier Agreement.

2.22 National level Classification Personnel must:

- accept the fundamental Para-Sport values of honesty, human rights, fairness, justice, non- discrimination and personal integrity;
- act with dignity, integrity and equality;
- safeguard Athletes' interests, priorities and opportunity to participate in fair competition and excel in sport;
- safeguard Athletes' physical and psychological health and wellbeing;

- comply with local public health advice and review any health risks associated with the delivery of Classification activities.
- conduct themselves with integrity, maintaining a high standard of personal conduct and avoid any behaviour or action that would tarnish or give the impression of tarnishing the reputation of the Paralympic Movement or PA;
- have no undisclosed direct or indirect interest in or any relationship with any outside organisation or person that might affect, or be reasonably misunderstood by others to be affecting their objectivity, judgement, or conduct in carrying out the duties and responsibilities that they have in conjunction with PA Classification activities. Any potential conflicts of interest are to be declared.
- avoid assuming any other role and responsibility that conflicts with their duties as Classification Personnel at a Competition, unless authorised by PA. For example, a Classifier should avoid acting as a technical official, or health care professional at a Competition when acting as a Classifier at that same Competition.
- avoid any improper use of information or assets;
- not seek or accept gifts or gratuities from any organisation or individual outside of PA (or its members);
- perform their duties courteously, competently, consistently and objectively for all Athletes;
- respect Athletes and Athlete Support Personnel, ensuring a courteous and collaborative environment during the Classification process.
- maintain confidentiality of Classification information and abide by other PA data protection mechanisms.
- perform Classification duties and related responsibilities while not being under the influence of alcohol or illegal substances.
- comply with PA Code of Conduct or other requirements as outlined by PA.

**2.23. Any person who believes that any Classification Personnel may have acted in a manner that contravenes the Code of Conduct should report this to PA.**

- 2.24. PA receives such a report it will investigate the report and, if appropriate, take disciplinary measures.
- 2.25. PA has sole discretion to determine whether or not a Classification Personnel has an actual, perceived and/or potential conflict of interest.

## Part Three: Athlete Evaluation

### General Provisions

- 3.1. PA has specified in these Procedures the process, assessment criteria and methodology whereby Athletes with a Vision Impairment will be allocated a National Level Sport Class and Sport Class Status. This process is referred to as Athlete Evaluation.
- 3.2. National Level Athlete Evaluation encompasses a number of steps and these Procedures therefore include provisions regarding:
  - an assessment of whether or not an Athlete has an Eligible Impairment for Vision Impairment Para-Sports (Eligibility Assessment);
  - an assessment of whether an Athlete complies with Minimum Impairment Criteria for Vision Impairment Para-Sports; and
  - the allocation of a Sport Class and Sport Class Status.
- 3.3. PA may also offer Provisional Level Classification which is a Classification process available to Athletes as an entry level Classification process or to Athletes in locations where National Level Classification is unavailable. Refer Part Four: Provisional Classification for details.

### Eligible Impairment

- 3.4. Any Athlete wishing to compete in Vision Impairment Para-Sports must have an Eligible Impairment and that Eligible Impairment must be Permanent.
- 3.5. Appendix One of these Procedures specify the Eligible Impairment(s) an Athlete must have in order to compete in Vision Impairment Para-Sport.

- 3.6. Any Impairment that is not listed as an Eligible Impairment in Appendix One is referred to as a Non-Eligible Impairment. Appendix Two includes examples of Non-Eligible Impairments.
- 3.7. Many Health Conditions do not lead to an Eligible Impairment. If an Athlete has multiple Health Conditions, they will be assessed to determine if one or more of these Health Conditions leads to an Eligible Impairment.
- 3.8. Any Athlete who has a Health Condition but does not have an Eligible Impairment will not be eligible to compete in Vision Impairment Para-Sports.
- 3.9. PA adopts the Eligible Impairments outlined in the respective IF Classification Rules.

## Eligibility Assessment

- 3.10. PA will determine if an Athlete has an Eligible Impairment.
- 3.11. In order to be satisfied that an Athlete has an Eligible Impairment, PA may require any Athlete to provide evidence that they have a Health Condition (Diagnosis) that leads to an Eligible Impairment.
- 3.12. The means by which PA determines that an individual Athlete has an Eligible Impairment is at the sole discretion of PA. PA may consider that an Athlete's Eligible Impairment is sufficiently obvious and therefore not require evidence that demonstrates the Athlete's Eligible Impairment.
- 3.13. If in the course of determining if an Athlete has an Eligible Impairment PA becomes aware that the Athlete has a Health Condition, that it makes it unsafe for that Athlete to compete or there is a risk to the health of the Athlete (or other Athletes) if that Athlete competes, it may designate the Athlete as Classification Not Completed (CNC) in accordance with Part Three of these Procedures. In such instances, PA will explain the basis of its designation to the relevant Athlete and their Athlete Support Personnel.
- 3.14. An Athlete must (if requested to do so) supply Medical Diagnostic Information to PA by way of the PA Medical Diagnostics Form.
- 3.15. The Medical Diagnostics Form must be completed in English and dated and signed by a certified Ophthalmologist.

- 3.16. The Medical Diagnostic must be submitted with supportive Diagnostic Information/reports if required by PA.
- 3.17. The athlete may be required to re-submit the Medical Diagnostics (with necessary supportive Diagnostic Information) if PA at its sole discretion considers the information to be incomplete or inconsistent.
- 3.18. PA may appoint one or a number of persons to complete the Eligibility Assessment.
- 3.19. The Eligibility Assessment is as follows:
  - PA will determine what Diagnostic Information must be provided on behalf of the Athlete and for what purposes.
  - PA will set timelines for the production of Diagnostic Information. Typically, Diagnostic Information will be required at a minimum two weeks prior to the Competition or Classification opportunity.
  - Person/s will be appointed to conduct the Eligibility Assessment. The appointed person/s will have appropriate medical/allied health qualifications to assess the information provided. All persons conducting Eligibility Assessment must comply with PA Classification Standard: Data Protection. Eligibility Assessment may be deferred to the Classification Panel or an alternate group of assessors.
- 3.20. Each Eligibility Assessment will involve the review of the Diagnostic Information to decide whether such information establishes the existence of an Eligible Impairment.
- 3.21. In the case where the Eligibility Assessment has been deferred to the Classification Panel, the panel may also consider the clinical presentation of the Athlete in its decision.
- 3.22. If the Eligibility Assessment determines that the Athlete has an Eligible Impairment the Athlete will be permitted to proceed to complete Athlete Evaluation with a Classification Panel.
- 3.23. If the Eligibility Assessment does not satisfy that the Athlete has an Eligible Impairment, PA will provide a decision to this effect in writing to the Athlete and/or their approved representative. The Athlete will be given an opportunity to comment on the decision and provide further Diagnostic

Information for review. If the decision is subsequently revised, PA will inform the Athlete. If the decision is not changed, PA will issue a final decision in writing to the Athlete, with no right of Protest this decision. The Athlete will be allocated Sport Class Not Eligible (NE) in accordance with Part Five of these Procedures.

## Minimum Impairment Criteria

- 3.24. An Athlete who wishes to compete in Vision Impairment Para-Sports must comply with the relevant Minimum Impairment Criteria.
- 3.25. PA adopts the Minimum Impairment Criteria and processes set by each of the relevant IFs via their Classification Rules.
- 3.26. Appendix One of these Procedures specify further details.
- 3.27. Any Athlete who does not comply with the Minimum Impairment Criteria for Vision Impairment Para-Sports will be allocated Sport Class Not Eligible (NE) in accordance with the provisions of Part Five.

## Sport Class

- 3.28. A Sport Class is a category in which Athletes are grouped by reference to the impact of an Eligible Impairment on their ability to execute the specific tasks and activities fundamental to Vision Impairment Para-Sports.
- 3.29. PA adopts the Para-Sport Classes set by each of the respective IFs.
- 3.30. An Athlete who complies with the Minimum Impairment Criteria for Vision Impairment Para-Sports will be allocated a Sport Class (subject to Part Seven: Failure to Attend Athlete Evaluation and Suspension of Athlete Evaluation).
- 3.31. Appendix One of these Procedures specify the assessment methodology and assessment criteria for the allocation of a Sport Class and the designation of Sport Class Status.

## Classification Not Completed

- 3.32. If at any stage of Athlete Evaluation, a Classification Panel is unable to allocate a Sport Class to an Athlete, the relevant Classification Panel may designate that Athlete as Classification Not Completed (CNC).



3.33. The designation Classification Not Completed (CNC) is not a Sport Class and is not subject to the provisions in these Procedures concerning Protests. The designation Classification Not Completed (CNC) will, however, be recorded on the PA VI Classification database and shared with the respective NSO/NSOD for inclusion on their Classification Masterlist.

3.34. An Athlete who is designated as Classification Not Completed (CNC) may not compete in Para Competition, unless otherwise approved by the NSO/NSOD.

## Part Four: Athlete Evaluation and the Classification Panel

### The Classification Panel

4.1. A Classification Panel is a group of Classifiers appointed by PA to conduct some or all of the components of Athlete Evaluation, including as part of an Evaluation Session.

### General Provisions

4.2. A Classification Panel will be comprised of two certified Classifiers for Vision Impairment. PA may provide that a Classification Panel comprises only one Classifier.

4.3. A National Level Trainee Classifier may be part of a Classification Panel in addition to the required number of certified Classifiers, and may participate in Athlete Evaluation.

### Classification Panel Responsibilities

4.4. A Classification Panel is responsible for conducting an Evaluation Session. As part of the Evaluation Session the Classification Panel will assess whether an Athlete complies with Minimum Impairment Criteria for the sport (Physical Assessment) in accordance with Appendix One.

- 4.5. Following the Evaluation Session the Classification Panel will allocate a Sport Class and designate a Sport Class Status, or designate Classification Not Completed (CNC).
- 4.6. The Evaluation will take place in an environment that allows for sufficient assessment of the relevant components of the Athlete Evaluation process. This assessment may take place alongside, or away from, Competition.
- 4.7. An Athlete who has a Non-Eligible Impairment and an Eligible Impairment may be evaluated by a Classification Panel on the basis of the Eligible Impairment, provided the Non-Eligible Impairment does not affect the Classification Panel's ability to allocate a Sport Class.
- 4.8. The Sport Class allocated to the Athlete will be in accordance with the processes specified in Appendix One.

## Evaluation Sessions

- 4.9. The Athlete and any other Athlete Support Personnel is responsible for ensuring that Athletes comply with their duties in relation to the provisions in this Article.
- 4.10. In respect of Athletes:
  - Athletes have the right to choose one person, and are encouraged to do so, to accompany them during the Athlete Evaluation Session (Athlete Representative). The Athlete must be accompanied if the Athlete is under the age of 18 or has a legal guardian.
  - The person chosen by the Athlete to accompany the Athlete at an Evaluation Session should be familiar with the Athlete's Impairment and sport history.
  - The Athlete and accompanying person must acknowledge the terms of the Classification Athlete Evaluation Consent Form.
  - The Athlete must verify their identity to the satisfaction of the Classification Panel, by providing a document such as a birth certificate, Medicare card, passport or Event accreditation.
  - The Athlete should attend the Evaluation Session with any sports attire or equipment relevant to the sport for which the Athlete wishes to be allocated a Sport Class.

- The Athlete should be in a state of sufficient personal health to enable their full participation in Athlete Evaluation processes and minimise any health risk to others;
- The Athlete must provide agreement to be photographed and/or videotaped for Athlete Evaluation purposes and give consent for Data processing and disclosure for the Classification purposes.
- The Athlete must disclose the use of any medication and/or medical device/implant to the Classification Panel.

#### **4.11. In respect of the Classification Panel:**

- The Classification Panel may request that an Athlete provide additional medical documentation relevant to their Eligible Impairment if the Classification Panel believes that this will be necessary in order for it to allocate a Sport Class.
- The Classification Panel will conduct Evaluation Sessions in spoken English unless otherwise stipulated by PA. If the Athlete requires an interpreter (eg language other than English or Auslan) the Athlete will be responsible for arranging the interpreter. The interpreter is permitted to attend the Evaluation Session in addition to the Athlete Representative.
- The Classification Panel may at any stage seek medical, technical or scientific opinion(s), with the agreement of PA if the Classification Panel feels that such opinion is necessary in order to allocate a Sport Class.
- In addition to any opinion sought, a Classification Panel may only have regard to evidence supplied to it by the relevant Athlete and PA (from any source) when allocating a Sport Class.
- The Classification Panel may make, create or use video footage and/or other records to assist it when allocating a Sport Class.

## **National Level Sport Class Status**

**4.21. If a Classification Panel allocates a Sport Class to an Athlete, it must also designate a Sport Class Status. Sport Class Status indicates whether or not an Athlete will be required to undertake Athlete Evaluation in the future; and if the Athlete’s Sport Class may be subject to Protest.**

#### **4.22. The Sport Class Status designated to an Athlete include:**

- New (N);
- Review (R);
- Review with a Fixed Review Date (FRD); and
- Confirmed (C).

### **Sport Class Status New**

**4.24. An Athlete is allocated Sport Class Status New (N) by PA if they have entered for a Competition but have not yet undergone Athlete Evaluation; meaning that the Athlete will be assessed by a Classification Panel at an upcoming opportunity**

### **Sport Class Status Review**

**4.25. An Athlete will be designated Sport Class Status Review (R) if the Classification Panel believes that further Evaluation Sessions will be required.**

**4.26. This may be for a number of reasons, including but not limited to situations where the Athlete:**

- has only recently started Competition in Para sports;
- has a fluctuating and/or progressive Impairment/s that is Permanent but not stable; and/or
- has not reached full maturity.

**4.27. An Athlete with Sport Class Status Review (R) must complete Athlete Evaluation prior to competing at any subsequent Para-sports Competition, unless the relevant NSO/NSOD determines otherwise.**

### **Sport Class Status Review with Fixed Review Date**

**4.28. An Athlete may be designated Sport Class Status Review with a Fixed Review Date (FRD) if the Classification Panel believes that further Athlete Evaluation will be required but will not be necessary before a set date, being the Fixed Review Date.**

- 4.29. An Athlete with Sport Class Status Review with a Fixed Review Date (FRD) will be required to attend an Evaluation Session at the first opportunity after the relevant Fixed Review Date. For example, an Athlete with Sport Class Status Review of Fixed Date of 2022 will be required to attend an Evaluations Session at their first opportunity after 01 January 2022.
- 4.30. An Athlete who has been allocated Sport Class Status Review with a Fixed Review Date (FRD) may not attend an Evaluation Session prior to the relevant Fixed Review Date save pursuant to a Medical Review Request and/or Protest.

## **Sport Class Status Confirmed**

- 4.31. An Athlete will be designated with Sport Class Status Confirmed (C) if the Classification Panel is satisfied that the Athlete's Eligible Impairment is and will remain stable.
- 4.32. An Athlete with Sport Class Status Confirmed (C) is not required to undergo any further Athlete Evaluation (save pursuant to the provisions in these Procedures concerning Protests (Part Six), Medical Review (Part Eight) and Changes to Sport Class Criteria (Part Four)).

## **Changes to Sport Class Criteria**

- 4.36. If PA changes any Sport Class criteria and/or assessment methods defined in the Appendices to these Procedures, then PA may re-assign any Athlete who holds Sport Class Status Confirmed (C) or Fixed Review Date (FRD) with Sport Class Status Review (R) and require that the Athlete attend an Evaluation Session at the earliest available opportunity.
- 4.37. Relevant Athletes and stakeholders shall be provided appropriate notice of anticipated changes to their Classification System.

## **Provisional Level Classifications**

- 4.38. Provisional Classification is a process offered by PA as an entry level Classification process for New Athletes where National Level Classification is unavailable or unsuitable. Provisional Classification is an indication of Athlete eligibility and Sport Class only. Procedures

are guided by the criteria outlined in Appendix One of these Procedures, but are not required to follow the same methods of assessment.

**4.39. Provisional Classifications are conducted by at least one certified PA VI Classifier.**

**4.40. Once an Athlete has undergone a National Level Athlete Evaluation those outcomes supersede any previous Provisional Classification outcomes.**

**4.41. Provisional Classification process is conducted as follows:**

- Athlete obtains Provisional Forms.
- PA gains written consent to Process Athletes Personal and Classification information;
- PA collects sufficient medical and other sport information to give a likely indication of Eligibility Assessment and allocation of Sport Class. For example this may be conducted via submission of medical and/or sports data via written report, or photo, video or other multimedia;
- PA assesses information supplied by Athlete;
- PA provides written notification of Provisional Classification outcomes as soon as is practically possible;
- PA includes Provisional outcome in the PA VI Classification database;
- PA shares outcome with relevant NSO/NSODs for inclusion on the NSO/NSOD Classification Masterlist.

**4.42. Athletes who have undergone a Provisional Classification will be allocated the Sport Class Status of Review.**

**4.43. Athletes who hold a Provisional level Classification may have their provisional outcome reviewed and a new provisional Classification issued if:**

- their medical condition has changed by way of the Medical Review Process outlined in Part Eight; or
- there is a relevant change in the PA VI Classification Procedures that would affect the provisional class they have been allocated.

4.44. Athletes found Not Eligible through a provisional level Athlete Evaluation process will be given a Sport Class of Not Eligible and Sport Class Status of Review. These Athletes are permitted to be reviewed by a National level Classification Panel.

## Recognition of VI Sport Class allocation across Para-sports

4.45. Pre-existing VI classifications may be recognised across a number of Para-Sports at a National level. A pre-existing Provisional, National or International level VI classification will be recognised under the following conditions:

- Documented evidence of the pre-existing classification is available;
- The athletes medical condition must not have changed since their last classification;
- Only the athletes most recent classification will be recognised;
- All Para-sports may be mutually recognised; with the exception of Shooting and Archery, which may only be recognised in cases where the athletes eligible impairment meets the eligibility criteria for that Para-sport.
- The Sport Class Status of the existing and most recent classification will be recognised. That is, an athlete with a Review, Fixed Review Date or Confirmed status in their existing Para-Sport, will be allocated a national level Review, Fixed Review Date or Confirmed status in their new Para-sport/s.

**If one or more of the above conditions is unable to be met, the athlete will be required to attend an additional athlete evaluation session.**

4.46. In addition, any changes to sport class as a result of international level classifications will supersede any pre-existing national level outcomes across all national VI Para-Sports (with the exception of shooting and archery which will only be recognised if the athletes eligible impairment is consistent across sports).

4.47. Outcomes of any classification as a result of pre-existing class recognition will follow Article 4.52 - 4.57 National Level Classification Outcomes.

## Multiple Sport Classes

**4.48.** It is possible that an Athlete may be eligible for two or more Sport Classes. For example, it may be the case that an Athlete has a combination of Physical Impairment, Vision Impairment and/or Intellectual Impairment.

**4.49.** If an Athlete is potentially eligible for two or more Sport Classes then:

- the Athlete must notify PA and the NSO/NSOD as to all the Athlete's Eligible Impairments via the Medical Diagnostic process;
- the Athlete will be offered the opportunity to participate in an Evaluation Session in respect of each Sport Class relevant to their multiple Impairments;
- at the conclusion of the Evaluation Session/s the Athlete is allocated Multiple Sport Classes;
- the Athlete must choose the Sport Class that they wish to compete in ('the preferred Sport Class');
- the selection of Sport Class will be subject to all applicable PA VI Procedures and the relevant NSO/NSOD Classification or Competition Rules (including but not limited to those in relation to the use of equipment, the weight of equipment, and the use of guides);
- the Athlete will be permitted to compete in the preferred Sport Class; and
- details of all of the Athlete's Sport Classes will be published on the respective NSO/NSODs Classification Masterlist.

## Changing Sport Class

**4.50.** An Athlete who is eligible for Multiple Sport Classes may change their preferred Sport Class between different events. However, if one Sport Class has been used to obtain qualification in a future Event, the Athlete must compete with this class in that future Event.

**4.51.** Nothing in this Article precludes an Athlete from making a Medical Review Request as outlined in Part Eight at any time in respect of any Sport Class they hold.



## National Level Athlete Evaluation Classification

### Outcomes

- 4.52. The outcome of Athlete Evaluation will be verbally notified to the Athlete as soon as practically possible after completion of Athlete Evaluation.
- 4.53. If Athlete Evaluation is held at a Competition, the Classification Personnel must convey the Classification outcomes to the Organising Committee so that they can prepare start lists and make associated Event management arrangements.
- 4.54. All Classification outcomes shall be confirmed in writing to the Athlete, as soon as is practically possible. Copies of the full Classification Form are available to the Athlete on request.
- 4.55. The outcomes are stored on an internal PA VI Classification Database.
- 4.56. Copies of the classification form and outcomes are shared with the NSO/NSODs for whom the athlete has provided consent at the time of classification.
- 4.57. The outcomes will be made available via the respective NSO/NSOD Classification Masterlist on their websites.

## Part Five: Sport Class Not Eligible

### General Provisions

5.1. If PA determines that an Athlete:

- has an Impairment that is not an Eligible Impairment; or
- has a Health Condition that does not lead to an Eligible Impairment; or
- who has an Eligible Impairment does not comply with Minimum Impairment Criteria;

then that Athlete will be allocated Sport Class Not Eligible (NE) for Vision Impairment Para-Sports.

### Absence of Eligible Impairment

**5.2. If PA determines that an Athlete does not have an Eligible Impairment through the Eligibility Assessment process, that Athlete:**

- will not be permitted to attend an Evaluation Session; and
- will be allocated with Sport Class Not Eligible (NE) and designated with Sport Class Status Confirmed (C).

**5.3. If an IF has allocated an Athlete with Sport Class Not Eligible (NE) because the Athlete does not have an Eligible Impairment, PA may likewise do so without the need for the process detailed in Part Three of these Procedures.**

**5.4. An Athlete who is allocated Sport Class Not Eligible (NE) by PA or a Classification Panel (if delegated by PA) because that Athlete has:**

- an Impairment that is not an Eligible Impairment; or
- a Health Condition that does not lead to an Eligible Impairment;

**has no right to request such determination be reviewed by a second Classification Panel and will not be permitted to participate in any Para-Sport competitions.**

## **Absence of Compliance with Minimum Impairment Criteria**

**5.5. Any Athlete who does not comply with the Minimum Impairment Criteria will be allocated Sport Class Not Eligible (NE) and designated Sport Class Status Review (R).**

**5.6. The Athlete will be reviewed by a second Classification Panel, as soon as is possible. The Athlete will not be permitted to compete before such re-assessment, unless otherwise designated by the relevant NSO/NSOD.**

**5.7. If the second Classification Panel determines the Athlete does not comply with Minimum Impairment Criteria (or if the Athlete declines to participate in a second Evaluation Session); Sport Class Not Eligible (NE) will be allocated and the Athlete designated with Sport Class Status Confirmed (C).**

- 5.8. If an Athlete makes (or is subject to) a Protest on a previously allocated Sport Class other than Not Eligible (NE) and is allocated Sport Class Not Eligible (NE) by a Protest Panel, the Athlete will be provided with a further and final Evaluation Session which will review the decision to allocate Sport Class Not Eligible (NE) made by the Protest Panel.
- 5.9. If a Classification Panel allocates Sport Class Not Eligible (NE) on the basis that it has determined that an Athlete does not comply with Minimum Impairment Criteria for one Para-Sports the Athlete may be eligible to compete in another sport, subject to Athlete Evaluation for that Para-Sport. Sport Class Not Eligible (NE), does not question the presence of a genuine Impairment. It is only a ruling on the eligibility of the Athlete to compete as a Para-Athlete in Vision Impairment Para-Sports.

## Part Six: Protests

### Scope of a Protest

- 6.1. A Protest is defined as the procedure by which a reasoned objection to an Athlete's Sport Class is submitted and subsequently resolved.
- 6.2. A Protest may only be made in respect of an Athlete's Sport Class. A Protest may not be made in respect of an Athlete's Sport Class Status.
- 6.3. Protests do not apply to:
  - Athletes that have been allocated a Not Eligible Sport Class; or
  - Athletes whose condition has changed and are subsequently eligible for a Medical Review process.
- 6.4. Dispute resolution processes for Provisional Classifications are outlined in Part Four.

### Protest of National Level Athlete Evaluations

#### *Parties Permitted to Make a National Level Protests*

- 6.5. A National Level Protest may only be made by one of the following bodies:
  - an Athlete; or

- PA.
- 6.6. An Athlete may only make a Protest in respect of the Athlete's own Classification outcome. Protests of other Athlete's Classifications are not permitted. If any person has a genuine belief and holds evidence that another Athlete has been allocated the incorrect class, it may pass such evidence on to PA for consideration. The receipt of evidence does not require PA to make a Protest.
- 6.7. PA may, in its discretion, make a Protest at any time in respect of an Athlete under its jurisdiction if:
- it considers an Athlete may have been allocated an incorrect Sport Class; or
  - an Athlete makes a documented request to PA. The assessment of the validity of the request is at the sole discretion of PA.
  - PA are to confirm any Protest with the relevant NSO/NSODs for whom the athlete holds a national level classification prior to initiating a Protest.

### ***Submission processes of National Level Protests***

- 6.8. The Protesting party must complete the relevant Protest Form, including but not limited to:
- the name, identifying particulars of the Athlete whose Sport Class is being Protested;
  - the details of the Protested decision and/or a copy of the Protested decision;
  - an explanation as to why the Protest has been made and the basis on which the Protesting party believes that the Protested decision is flawed. Reference to specific rules alleged to have been breached is encouraged;
  - Any documents and other evidence in support of the Protest; and
  - The signature of the party making the Protest.
- 6.11. PI Protests must be submitted within 30 days of the Classification outcome being determined.
- 6.12. Protests initiated by PA may be made at any time.

### ***Assessment of National Level Protest Submission***

- 6.13. Upon receipt of a National Level Protest, PA will review the Protest, and determine if the Protest will be accepted or dismissed.**
- 6.14. Protests may be dismissed, at PA’s discretion where it does not comply with Protest requirements including but not limited to:**
- The Protest has been submitted without all necessary information;
  - The Protest is an allegation without evidence.
- 6.15. If the Protest is dismissed, PA will notify in writing the Protesting party as soon as is practical.**
- 6.16. If the Protest is accepted:**
- The Protested Athlete’s Sport Class will remain unchanged pending the outcome of the Protest, but the Protested Athlete’s Sport Class Status will be changed to Review, effective immediately. If the Athlete holds Classifications across two or more sports, the Athletes Sport Class Status will be amended to Review with immediate effect across all sports that the Athlete holds a Classification for.
  - A Protest Panel shall be appointed to review the Protest as soon as reasonably possible. This may be a Protest Panel at the current Competition, the next Competition or Athlete Evaluation opportunity.
  - PA will notify all relevant parties in writing of the acceptance of, or reason for the Protest and advise of the opportunity for Protest re-Evaluation to occur.

### **Protest Panel**

- 6.17. A Protest Panel will be appointed by PA in a manner consistent with the provisions for appointing a Classification Panel in these Procedures.**
- 6.18. A Protest Panel will not include any person who:**
- was a member of the Classification Panel that made the Protested Decision; or
  - conducted any component of Athlete Evaluation in respect of the Protested Athlete within a period of 12 months prior to the date of the Protested Decision;

**unless otherwise agreed by the Athlete and PA.**

- 6.19. PA will notify all relevant parties of the time and date for the Evaluation Session that will be conducted by the Protest Panel. All reasonable steps will be taken to ensure that the Protest is resolved at the earliest opportunity. Pending the resolution of the Protest, the Protested Athlete will be permitted to compete in the Sport Class that is the subject of the Protest with Sport Class Status Review (R).
- 6.20. The Protest Panel will conduct the new Evaluation Session in accordance with these Procedures. The Protest Panel may refer to the Protest Documents and other Classification records when conducting the new Evaluation Session.
- 6.21. The Protest Panel will allocate a Sport Class and designate a Sport Class Status. All relevant parties, including the relevant NSO/NSOD, will be notified of the Protest Panel's decision in a manner consistent with the provisions for notification in these Procedures.
- 6.22. The decision of a Protest Panel in relation to both an Athlete Protest and a PA Protest is final. If the Protest was submitted in conjunction with a Competition, an Athlete or PA may not make another Protest at that Competition. The decision of a Protest Panel may be Appealed if the requirements set out for Appeals in Part Eleven are met. This does not preclude an Athlete from Protesting future Classification decisions.
- 6.23. If the decision of the Protest Panel results in the Sport Class of the Athlete being changed, the resulting Sport Class and Sport Class Status will supersede all national level VI Classifications held by the Athlete.

## **Ad Hoc Provisions Relating to Protests**

- 6.24. PA may issue special ad hoc provisions related to Protests to operate in specific circumstances. Athletes will be provided as much notice of the ad hoc provisions as is reasonable under the circumstances.

## Part Seven: Misconduct during an Evaluation Session

### Failure to Attend Evaluation Session

- 7.1. An Athlete is personally responsible for attending an Evaluation Session.
- 7.2. If an Athlete with Sport Class Status Review or Sport Class Status Fixed Review Date fails to attend an Evaluation Session, the Classification Panel will report the failure to PA. PA may, if satisfied that a reasonable explanation exists for the failure to attend and subject to the practicalities, specify a revised date and time for the Athlete to attend a further Evaluation Session before the Classification Panel.
- 7.3. If the Athlete is unable to provide a reasonable explanation for non-attendance, or if the Athlete fails to attend an Evaluation Session on a second occasion, PA will notify the relevant NSO/NSODs who may preclude the Athlete from further competing.

### Suspension of Evaluation Session

- 7.4. A Classification Panel, in consultation with PA, may suspend an Evaluation Session if it cannot allocate a Sport Class to the Athlete, including but not limited to, one or more of the following circumstances:
  - a failure on the part of the Athlete to comply with any part of these Procedures;
  - a failure on the part of the Athlete to provide any medical information that is reasonably required by the Classification Panel;
  - the Classification Panel considers that the use (or non-use) of any medication and/or medical procedures/devices/implants disclosed by the Athlete will affect its ability to conduct Athlete Evaluation in a fair manner;
  - the Athlete has a Health Condition (of any nature or description) that may limit or prohibit complying with requests made by the Classification Panel during an Evaluation Session, which the Classification Panel considers will affect its ability to conduct the Evaluation Session in a fair manner;
  - the Athlete is unable to communicate effectively with the Classification Panel;

- the Athlete refuses or is unable to comply with any reasonable instructions given to them by any Classification Personnel to such an extent that the Evaluation Session cannot be conducted in a fair manner; and/or
- the Athlete's representation of their abilities is inconsistent with any information available to the Classification Panel to such an extent that the Evaluation Session cannot be conducted in a fair manner.

**7.5. If an Evaluation Session is suspended by a Classification Panel, the following steps will be taken:**

- an explanation for the suspension and the remedial action and timeframe will be provided to the Athlete;
- if the Athlete takes the remedial action to the satisfaction of PA the Evaluation Session will be resumed; and
- if the Athlete fails to comply and does not take the remedial action within the timeframe specified or to a satisfactory standard, the Evaluation Session will be terminated, and the Athlete will be precluded from competing in Vision Impairment Para-Sports Competition until the Athlete Evaluation is completed.

**7.6. If an Evaluation Session is suspended by a Classification Panel, the Classification Panel may designate the Athlete as Classification Not Completed (CNC) in accordance with Part Three of these Procedures.**

**7.7. A Suspension of an Evaluation Session may be subject to further investigation into any possible Intentional Misrepresentation.**

## **Part Eight: Medical Review**

### **Medical Review**

- 8.1. This Article applies to any Athlete who has been allocated a Sport Class with Sport Class Status Confirmed (C) or Review with Fixed Review Date (FRD). Additionally, this process applies to Athletes who have undergone a Provisional Classification.**
- 8.2. A Medical Review Request must be made if a change in the nature or degree of an Athlete's Impairment changes the Athlete's ability to execute**



the specific tasks and activities required by Vision Impairment Para-Sports in a manner that is clearly distinguishable from changes attributable to levels of training, fitness and proficiency.

- 8.3. A Medical Review Request must be made by the Athlete together with any supporting documentation. The Medical Review Request must explain how and to what extent the Athlete's Impairment has changed and why it is believed that the Athlete's Sport Class is no longer accurate. It will generally be the case that any Medical Review Request will need to be accompanied by medical records.
- 8.4. A Medical Review Request must be received by PA prior to competing at any future Para-Sport Event or within 12 months of the change occurring, whichever comes sooner.
- 8.5. PA will decide whether or not the Medical Review Request is upheld as soon as is possible following receipt of the Medical Review Request.
- 8.6. Any Athlete or Athlete Support Personnel who becomes aware of changes outlined in Article 8.2 but fails to draw those to the attention of PA may be committing Intentional Misrepresentation.
- 8.7. If a Medical Review Request is upheld, the Athlete's Sport Class Status will be changed to Review (R) with immediate effect. If the Athletes holds Classification across two or more sports, the Athletes Sport Class Status will be amended to Review (R) with immediate effect across all sports the Athlete holds a Classification for.
- 8.8. If a Medical Review Request does not include sufficient evidence to explain how and to what extent the Athlete's Impairment has changed, the Medical Review will not be accepted and the Athlete's Sport Class Status will not be changed.

## Part Nine: Intentional Misrepresentation

### Intentional Misrepresentation

- 9.1. Intentional Misrepresentation (IM) is a deliberate attempt by an Athlete or Athlete Support Personnel (either by deed or omission) to mislead a Para-Sport organisation or anyone else regarding the existence or extent of their

skills and/or the nature of their Eligible Impairment. IM may occur during Athlete Evaluation and/or at any point after the allocation of Sport Class.

**9.2. IM includes circumstances where an Athlete or Athlete Support Personnel:**

- submits false and/or fraudulent Medical Diagnostic Information as a part of the Classification process, or withholds relevant medical documentation that may have an impact on the Classification process;
- attempts to deceive the Classification Panel during Athlete Evaluation by misrepresenting the Athlete's skills and/or abilities and/or the degree or nature of impairment;
- deliberately presents at Athlete Evaluation in a way that is inconsistent with their usual presentation in Competition;
- fails to make a Medical Review Request as to a change in circumstances that may impact upon Sport Class allocation;
- knowingly assists, covers up, is involved in any type of complicity involving IM, or disrupts the Athlete Evaluation process with the intention of deceiving or misleading the Classification Panel.

**9.3. Athletes and/or Athlete Support Personnel may be subject to disciplinary actions if found guilty of IM offenses.**

**9.4. PA procedures regarding the investigation and management of Intentional Misrepresentation follow the PA Classification Standards: Intentional Misrepresentation and Data Protection.**

**9.5. PA will cooperate and expects the cooperation of their members with any Classification investigative process.**

**9.6. PA will recognise, respect and enforce any disciplinary action imposed on an Athlete or Athlete Support Personnel for IM as notified by the IPC, IF or Sport Integrity Australia.**

**Intentional Misrepresentation – International Level Competing Athletes**

**9.7 Classification intelligence, allegations, investigations and disciplinary proceedings relating to athletes competing in International Level**

competition follow the processes outlined by the International Federation and the processes outlined in these Classification Procedures.

### **Intentional Misrepresentation – National Level Competing Athletes**

- 9.8 National Level Classification Intentional Misrepresentation (IM) Complaints will be dealt with under the National Integrity Framework. IM, as defined in these Classification Procedures, is deemed to be Competition Manipulation as defined in the PA Competition Manipulation and Sports Wagering Policy. Allegations of national level cases of IM are to be handles by Sport Integrity Australia in accordance with the Complaints, Disputes and Discipline Policy.
- 9.9 In the case of any sanction imposed on an Athlete or Athlete Support Personnel for IM by Paralympics Australia as a result of the investigation and subsequent notification from Sport Integrity Australia, Paralympics Australia will inform each of the NSO/NSODs of the imposed sanction, in which the athlete holds a national level VI classification.

## **Part Ten: Use of Athlete Information**

### **Classification Data**

- 10.1. PA will only Process Classification Data if such Classification Data is reasonably necessary to conduct Classification. If PA is not sure if the Data submitted by an Athlete is necessary to conduct Classification they will not Process that Data, will inform the Athlete of the receipt of that information, and subsequently destroy the Data.
- 10.2. All Classification Data Processed by PA will be accurate, complete and kept up-to-date.

### **Consent and Processing**

- 10.3. Subject to Article 10.5, PA will only Process Classification Data with the consent of the Athlete to whom that Classification Data relates.

- 10.4. If an Athlete cannot provide written consent (for example because the Athlete is under age 18) the Athlete's parent or legal guardian must give consent on their behalf.
- 10.5. PA will only Process Classification Data without the consent of the relevant Athlete if permitted to do so in accordance with applicable laws and codes.

## Classification Research

- 10.6. PA may request that an Athlete provide it with Personal Information for Research Purposes.
- 10.7. The use by PA of Personal and/or sensitive Information for Research Purposes must be consistent with these Procedures and all applicable ethical use requirements.
- 10.8. Personal Information that has been provided by an Athlete to PA solely and exclusively for Research Purposes will not be used for any other purpose.
- 10.9. PA will only use Classification Data for Research Purposes with the express consent of the relevant Athlete. If PA wishes to publish any Personal Information provided by an Athlete for Research Purposes, it must obtain express consent to do so from that Athlete prior to any publication. This restriction does not apply if the publication is anonymised so that it does not, and may not be used to, identify any Athlete(s) who consented to the use of their Personal Information and or sensitive Personal Information.

## Notification to Athletes

- 10.10. PA will notify an Athlete who provides Classification Data as to:
  - that fact that PA is collecting the Classification Data; and
  - the purpose for the collection of the Classification Data; and
  - the duration that the Classification Data will be retained.

## Classification Data Security

- 10.11. PA will:

- protect Classification Data by applying appropriate security safeguards, including physical, organisational, technical and other measures to prevent the loss, theft or unauthorised access, destruction, use, modification or disclosure of Classification Data; and
- take reasonable steps to ensure that any party provided with Classification Data uses that Classification Data in a manner consistent with these Procedures.

## Disclosures of Classification Data

**10.12. PA will not disclose Classification Data to other Classification Organisations except where such disclosure is related to Classification conducted by another Classification Organisation and/or the disclosure is consistent with applicable laws and codes.**

**10.13. Any suspected breaches will follow the procedures outlined in the PA Privacy Policy.**

## Retaining Classification Data

**10.14. PA will ensure that Classification Data is only retained for as long as the Athlete remains active in Vision Impairment Para-Sports. If Classification Data is no longer necessary for Classification purposes, it will be deleted, destroyed or permanently anonymised.**

**10.15. PA Classifiers and Classification Personnel will retain Classification Data for only as long as is necessary in order for them to carry out their Classification duties in relation to an Athlete.**

## Access Rights to Classification Data

**10.16. Athletes may request from PA:**

- confirmation of whether or not PA has Processed Classification Data relating to them personally and a description of the Classification Data that is held;
- a copy of the Classification Data held by PA; and/or
- correction or deletion of the Classification Data held by PA.

**10.17. A request may be made by an Athlete or their legal representative and will be complied with within a reasonable period of time.**

## Classification Masterlists

- 10.18. The maintenance, publication and update of NSO/NSOD Classification Masterlists is the responsibility of the NSO/NSODs.

## Part Eleven: National Level Classification

### Appeals

#### Appeal

- 11.1. An Appeal is the process by which a formal objection to how Athlete Evaluation and/or Procedures have been conducted is submitted and subsequently resolved.

#### International Level Classification Appeals

- 11.2. International Level Classification Appeals follow the processes outlined by the respective IFs, and not the processes outlined in these Procedures.

#### National Level Classification Appeals

- 11.3. If an Athlete considers there have been procedural errors made in respect of the allocation of a national level Sport Class and/or Sport Class Status and as a consequence an Athlete has been allocated an incorrect Sport Class or Sport Class Status, they may submit an Appeal.
- 11.4. The National Sports Tribunal - General Division will act as the hearing body for the resolution of National Level VI Classification Appeals.
- 11.5. An Appeal must be made and resolved in accordance with the applicable National Sports Tribunal Legislation.

#### Parties Permitted to Make a National Level Appeal

- 11.6. An Appeal may only be made by an Athlete or their legal representative.

#### Ad Hoc Provisions Relating to Appeals

- 11.7. PA, in conjunction with the National Sports Tribunal where necessary, may issue special ad hoc provisions relating to an Appeal to operate during specific Competitions or circumstances. PA will provide as much notice of the ad hoc provisions as is reasonable in the circumstances.

## Part Twelve: Definitions

**Appeal:** The means by which a complaint that the sports federation has made an unfair decision during the Classification process is resolved.

**Athlete:** For purposes of Classification, a person who participates in sport at the international level (as defined by an IF) or national or lower level (as defined by the NSO/NSODs). A reference to an Athlete includes a reference to the Athlete's legal guardian where the context so permits.

**Athlete Evaluation:** The process by which an Athlete is assessed in accordance with these Procedures, so that they may be allocated a Sport Class and Sport Class Status.

**Athlete Support Personnel:** Any individual who supports an Athlete, including but not limited to coaches, team staff, medical or para-medical specialists, interpreters, administrators, carers and parents/legal guardians.

**Chief Classifier:** A Classifier appointed by PA to direct, administer, co-ordinate and implement Classification matters for a specific Competition according to these Procedures.

**Classification or Athlete Classification:** Grouping Athletes in to Sport Classes according to the extent to which their Impairment affects fundamental activities in each specific sport or discipline.

**Classification Data:** Personal Information and/or sensitive Personal Information provided by an Athlete and/or their authorised representative to PA in connection with Classification.

**Classification Intelligence:** Information obtained and used by an International Sport Federation in relation to Classification.

**Classification Masterlist:** A list made available by PA that identifies Athletes who have been allocated a Sport Class and designated a Sport Class Status.

**Classification Not Complete:** The designation applied to an Athlete who has commenced but not completed Athlete Evaluation to the satisfaction of PA.

**Classification Organisation:** Any organisation that conducts the process of

**Athlete Evaluation** and allocates Sport Classes and/or holds Classification Data.

**Classification Panel:** A group of Classifiers, appointed by PA, to determine Sport Class and Sport Class Status in accordance with these Procedures.

**Classification Personnel:** Any individuals who act with the authority of PA in relation to Athlete Evaluation, for example Classifiers and administrative officers.

**Classification Procedures:** The policies, procedures, protocols and descriptions adopted by PA in connection with Athlete Evaluation for athletes with a vision impairment.

**Classification System:** The framework used by a sport federation to develop and designate Sport Classes within a Para-Sport.

**Classifier:** A person authorised as an official by PA to evaluate Athletes as a member of a Classification Panel

**Classifier Certification:** The processes by which PA will assess that a Classifier has met the specific Classifier Competencies required to obtain and maintain certification or licensure.

**Classifier Competencies:** The qualifications and abilities that PA deems necessary for a Classifier to be competent to conduct Athlete Evaluation for sport governed by PA.

**Classification Personnel Code of Conduct:** The behavioural and ethical standards for Classification Personnel specified by PA.

**Competition:** A series of individual events conducted together under one ruling body.

**Compliance:** The implementation of rules, regulations, policies and processes that adhere to the text, spirit and intent of the Code as defined by the IPC. Where terms such as (but not limited to) 'comply', 'conform' and 'in accordance' are used in the Code they shall have the same meaning as 'Compliance.'

**Diagnostic Information:** Medical records and/or any other diagnostic documentation that enables PA to assess the existence or otherwise of an Eligible Impairment or Health Condition.



**Eligibility Assessment:** A process to assess the existence or otherwise of an Eligible Impairment. For Athletes with an Intellectual Impairment, this process is known as National Eligibility process.

**Eligible Impairment:** A Vision Impairment designated as being a prerequisite for competing in Vision Impairment Para-Sports, as detailed in these Procedures.

**Evaluation Session:** The session an Athlete is required to attend for a Classification Panel to assess that Athlete's Compliance with the Minimum Impairment Criteria for Vision Impairment Para-Sports; and allocation of a Sport Class and Sport Class Status depending on the extent to which that Athlete is able to execute the specific tasks and activities fundamental to Vision Impairment Para-Sports.

**Event:** A single race, match, game or single sport contest.

**Fixed Review Date:** A date set by a Classification Panel prior to which an Athlete designated with a Sport Class Status Review with a Fixed Review Date will not be required to attend an Evaluation Session, save pursuant to a Medical Review Request and/or Protest.

**Head of Classification:** A person who may be appointed by PA to direct, administer, co-ordinate and implement Classification matters for PA.

**Health Condition:** A pathology, acute or chronic disease, disorder, injury or trauma.

**Intentional Misrepresentation (IM):** A deliberate attempt (either by fact or omission) to mislead any person or organisation as to the existence or extent of skills and/or abilities relevant to Vision Impairment Para-Sports and/or the degree or nature of Eligible Impairment during Athlete Evaluation and/or at any other point after the allocation of a Sport Class.

**International Competitions:** A Competition where the IPC, an International Sport Federation or a Major Competition Organisation is the governing body for the Competition and/or appoints the technical officials for the Competition.

**International Sport Federation (IF):** A sport federation recognised by the IPC as the sole world-wide representative of a sport for Athletes with an Impairment that

has been granted the status as a Para-Sport by the IPC.

**International Standards:** Documents complementing the IPC Code and providing additional technical and operational requirements for Classification.

**IPC:** International Paralympic Committee.

**IPC Athlete Classification Code (IPC Code):** The IPC Code document which details the purpose of Classification, policies and procedures that should be common to all sports Classification Systems and sets principles to be applied by all sports within the Paralympic Movement. The IPC Code is supplemented by the International Standards.

**Maintaining Certification:** The advanced training, education and practice necessary for continued competency as a Classifier.

**Major Competition Organiser:** An organisation that functions as the ruling body for an International Competition.

**Medical Diagnostics Form:** A form that an Athlete must submit in order for an Athlete to undergo Athlete Evaluation, identifying the Athlete's Health Condition if so required.

**Medical Review:** The process by which PA identifies if a change in the nature or degree of an Athlete's Impairment means that some or all of the components of Athlete Evaluation are required to be undertaken in order to ensure that any Sport Class allocated to that Athlete is correct.

**Medical Review Request:** A request made by an Athlete for Medical Review.

**National Integrity Framework:** The suite of integrity-related policies adopted by Paralympics Australia which includes the National Integrity Framework, the Competition Manipulation and Sports Wagering Policy and the Complaints, Disputes and Discipline Policy.

**National Sports Tribunal:** The National Sports Tribunal established by the National Sports Tribunal Act 2019 (Cth).

**National Sports Tribunal Legislation:** the National Sports Tribunal Act 2019 (Cth), the National Sports Tribunal Rule 2020 (Cth) and the National Sports Tribunal (Practice and Procedure) Determination 2021 (Cth)

**PA (PA):** PA Limited ACN 061 547 957.

**PA Athlete Classification Policy:** The PA document which details the purpose of Classification, policies and procedures that should be common to all Australian sport's Classification Systems. The IPC Code is supplemented by the PA Classification Standards.

**PA Classification Standards:** Complement the PA Classification policy and provide the technical and operational requirements for key Classification areas.

**Para-Sport(s):** All sports for Athletes with a Physical, Intellectual or Vision Impairment, on a Paralympic Games program, or recognised by the IPC.

**Permanent:** The term Permanent as used in the Code and Standards describes an Impairment that is unlikely to be resolved meaning the principal effects are lifelong.

**Personal Information:** Any information that refers to, or relates directly to, an Athlete.

**Process/Processing:** The collection, recording, storage, use or disclosure of Personal Information and/or sensitive Personal Information.

**Protest:** The procedure by which a reasoned objection to an Athlete's Sport Class is submitted and subsequently resolved.

**Protested Athlete:** An Athlete whose Sport Class is being challenged.

**Protested Decision:** The Sport Class decision being challenged.

**Protest Documents:** The information provided in the Protest Form together with the Protest Fee.

**Protest Form:** The form on which a National Protest must be submitted.

**Protest Panel:** A Classification Panel appointed by PA to conduct an Evaluation Session as a result of a Protest

**Re-certification:** The process by which PA will assess that a Classifier has maintained specific Classifier Competencies or can regain certification after having lost it.

**Recognised Competition:** A Competition that is sanctioned or approved by PA.

**Research Purposes:** Research into matters pertaining to the development of sports within the Paralympic Movement.

**Sport Class:** A category for Competition defined by PA by reference to the extent to which an Athlete can perform the specific tasks and activities required by Vision Impairment Para-Sports.

**Sport Class Status:** A designation applied to a Sport Class to indicate the extent to which an Athlete may be required to undertake Athlete Evaluation and/or be subject to a Protest.

**Sport Integrity Australia:** The non-corporate Commonwealth entity of that name established by the *Sport Integrity Australia Act 2020* (Cth).

**Vision Impairment:** An Impairment of the eye structure, optical nerves or optical pathways, or visual cortex of the central brain that adversely affects an Athlete's vision.

**Vision Impairment Para-Sports:** Sport recognised by the IPC, which include Sport Classes and competition opportunities for Athletes with a Vision Impairment.

# Appendix One

## Athletes with a Vision Impairment

### *Introduction*

This Appendix outlines the process by which an Athlete with a Vision Impairment will be classified and allocated a Sport Class.

The NSO/NSODs by way of mutual and formal agreement have authorised the management of VI Classification Eligibility Assessment and Athlete Evaluation processes to PA.

### *1. Eligible Impairment types*

Eligible Impairment	Examples of Health Conditions
<b>Vision Impairment</b> Athletes with Vision Impairment have reduced or no vision caused by damage or maldevelopment of the eye structure, optic nerves or visual pathways, or visual cortex of the brain.	Albinism, retinitis pigmentosa, macular or rod cone dystrophy, Stargardts and diabetic retinopathy.

### *2. Eligibility Criteria and Assessment*

- 2.1. Athletes must provide sufficient evidence of a Vision Impairment via the VI Medical Diagnostics Form (MDF) available from PA.
- 2.2. The MDF may be completed by Orthoptist or Optometrist as long as a diagnostic letter/confirmation from an Ophthalmologist or other relevant medical doctor is included.
- 2.3. An Athlete may provide a Medmont Visual Field as an additional Visual Field Assessment to the ones that are accepted by the respective IFs.
- 2.4. An Athlete will be deemed Not Eligible (NE) with Confirmed Sport Class Status if they fail to meet the National Eligibility process outlined above.

### ***3. Minimum Impairment Criteria***

- 3.1. Minimum Impairment Criteria (MIC) for Athletes with a Vision Impairment are based on the Athlete's best corrected vision. Both eyes are tested individually.
- 3.2. PA adopts the MIC outlined in the respective IF Classification Rules for all Para-Sport Classes.

### ***4. Assessment Criteria for the Allocation of a Sport Class and the Designation of Sport Class Status***

- 4.1. PA adopts the Assessment methodology and criteria outlined in the respective IF Classification Rules for the allocation of Sport Class during National Level Athlete Evaluation with the exceptions of:
  - Classification completed by one national level VI Classifier may be allocated Review, Fixed Review Date or Confirmed Status based on their assessment findings.
  - NE or Protest Panel re-evaluations must be conducted by the same number of Classifiers that completed the first or Protested Evaluation, unless otherwise agreed to by all parties.

## Appendix Two: Non-Eligible Impairment Types

### 1. Non-Eligible Impairment Types for Para-Sport disciplines

1.1. Examples of Non-Eligible Impairments include, but are not limited to the following:

- Pain;
- Hearing impairment;
- Low muscle tone;
- Hypermobility of joints;
- Joint instability, such as unstable shoulder joint, recurrent dislocation of a joint;
- Impaired muscle endurance;
- Impaired motor reflex functions;
- Impaired cardiovascular functions;
- Impaired respiratory functions;
- Impairment metabolic functions; and
- Tics and mannerisms, stereotypes and motor perseveration.

1.2. An Athlete who has one or more of these Non-Eligible Impairments, without the presence of an Eligible Impairment, is not eligible to compete in Para-Sport Classes. They may still be able to compete in other National Sports Competitions.

### 2. Health Conditions that do not lead to an Eligible Impairment

2.1. Many Health Conditions do not lead to an Eligible Impairment. If an Athlete has multiple Health Conditions, they will be assessed to determine if one or more of these Health Conditions leads to an Eligible Impairment.

**2.2. The IPC Code considers the following Health Conditions do not lead to an Eligible Impairment. Health Conditions that:**

- primarily cause pain eg fibromyalgia, complex regional pain syndrome;
- primarily cause fatigue eg chronic fatigue;
- primarily cause joint hypermobility or hypotonia; or
- are primarily psychological or psychosomatic in nature eg post traumatic stress disorder or conversion disorders

**2.3. Any Athlete who has a Health Condition, but does not have an Eligible Impairment is not eligible to compete in Para-Sport Classes. They may still be able to compete in other National Sports Competitions.**