



wada

Global
Learning and
Development
Framework

Hearing Panel

Role Descriptor

The role descriptor will support the anti-doping industry by clarifying the main characteristics of key anti-doping roles. It can be used to support the development of a job description when an Anti-Doping Organization (ADO) aims to recruit a Hearing Panel member. ADOs should tailor this role descriptor to their specific needs and realities.

The Hearing Panel role descriptor provides a high-level overview of this role and includes:

Key purpose of the results management role

Role summary

Key responsibilities

Qualities and attributes

Qualifications and experience

Typical employer organizations

Example of job titles

Career progression and professional development opportunities for the practitioner undertaking this role



Key purpose of the role

The hearing panel member contributes to the results management process by hearing and determining whether a person subject to anti-doping rules has committed an anti-doping rule violation and, if applicable, imposing the relevant consequences.

The Code requires that the panel responsible for hearings be operationally independent from the results management authority (RMA).



Role Summary

The hearing panel member is involved in the hearing process that encompasses the timeframe between the referral of an anti-doping rule violation case to the hearing panel until the issuance and notification of a decision by the panel (whether at first instance or on appeal).

Pools of hearing panel members need to be established, from which the hearing panels for specific cases will be nominated. All members of the pool shall be appointed for a period of no less than two years (which may be renewable).



Key responsibilities

The size and composition of the hearing panel may vary depending on the nature of the case. A hearing panel is usually composed of three members who share the responsibilities listed below, although in some cases (e.g. based on the parties' agreement), a hearing panel could be comprised of a single member:

Prepare for hearings by reading and assimilating relevant documents to get familiar with the case before the hearing

Ensure that parties can present their case and take initiative to ensure that all relevant legal/factual issues are heard

Explore the evidence and scrutinize the legal positions presented by the parties

Decide on issues of law and procedure which may arise during a hearing and give interim orders or directions as appropriate to the circumstances

Decide cases by identifying and evaluating the key legal/factual issues and applying the relevant rules to them

Write and issue a reasoned decision within applicable timetables

One member of the hearing panel should be appointed as the Chairperson and will have the additional responsibility of conducting the hearing by issuing orders or directions in accordance with the applicable procedural rules before the hearing (such as deciding on the format and schedule of the hearing most suitable to the case).



Qualities and attributes

Common values in the anti-doping industry, regardless of the role a practitioner undertakes, which should be checked for in candidates to the position, are:

Integrity (equity, justice, fairness, courage, accountability)

Excellence (professionalism, innovation, quality, competence)

Respect (honesty, openness, inclusion, diversity)

Collaboration (engagement, teamwork)

Dedication (passion)

The anti-doping core competency framework further describes these core values with descriptive statements and captures the competencies that are common across the various roles of the anti-doping industry. It is a useful tool to refer to if the ADO seeks to further develop the list of qualities and attributes that a candidate to any position in anti-doping should be able to demonstrate.

Based on the results of a survey that was circulated among results management practitioners across

the anti-doping industry in 2021, a list of skills was identified as necessary for the profession. The following list details skills deemed as essential by 70% of respondents. Such skills should be assessed in candidates applying for a hearing panel member position:

- Critical thinking
- Decision making
- Ability to work in compliance with code, standards, ethics
- Ability to work with sensitive information and maintain confidentiality
- Speaking
- Listening
- Ability to present complex technical content & topics in engaging plain language/formats

- Teamwork collaboration
- Ability to deal with internal and external stakeholders
- Analytical and logical thinking
- Attention to detail
- Ability to record processes in detail and with accuracy
- Emotional intelligence
- Willingness and ability to learn
- Inductive and deductive reasoning
- Research skills
- Ability to develop, write and edit legal documents
- Ability to give and receive feedback
- Writing
- Interviewing

Qualifications and experience

Hearings are a legal procedure and therefore, at least one appointed hearing panel member must have a legal background (in general, this is the member that will be appointed as Chairperson). Other members should provide a collective expertise in relevant fields, such as science, medicine, or sport, and must have anti-doping experience. The intention is that a hearing panel has as broad a cross-section as is available in terms of experience, skills, and background.

Prior knowledge and/or experience in the following areas are important assets for a hearing panel member role:

- Working knowledge of the sport and anti-doping systems' structures at national, regional, and international level
- Understanding of the relevant technical and governance aspects of anti-doping at national and international level

Depending on the profile of the member, an additional set of requirements are to be considered.

For members with a legal background:

Experience of chairing tribunals or anti-doping hearings and/or appearing before them on a regular basis

Experience of writing reasoned decisions

Expertise in the application of the World Anti-Doping Code and anti-doping rules and regulations

Ability and willingness to keep abreast of legal developments in anti-doping across the world

For members with a specialist background (such as science, medicine, or sport):

A nationally recognized professional qualification requiring expertise and skills in anti-doping (including, but not restricted to, chemistry, medical, and physiological qualifications); or

A significant number of years of involvement in high performance sport as a past or present administrator, competitor, coach, official, or other similar capacity

Experience of sitting as a member of, or independent adviser to hearing panels

Expertise in anti-doping and familiarity with the application of the World Anti-Doping Code and anti-doping rules and regulations

Typical employer organisations

The Code requires that the panel responsible for first instance hearings be operationally independent from the results management authority (RMA). This implies that board members, staff members, commission members, consultants, and officials of the RMA, as well as any Person involved in the investigation of the matter or decision to proceed with the case cannot be appointed as members. It is recommended that an independent nomination committee is put in place when the hearing pool is appointed by the ADO, to which it delegates the responsibility for reviewing applications and appointing pool members. Once constituted, the pool must operate independently, and legal safeguards be put in place and included in the RMA's anti-doping regulations. ADOs shall provide adequate resources to ensure that hearing panels are able to fulfil their tasks efficiently and independently.

The Code also requires hearing panels responsible for appeals to be institutionally independent, in addition to operationally independent, from the RMA. They must therefore not in any way be administered by, connected or subject to the RMA. The RMA can therefore not appoint pools for appeal panels, but needs to set out in its procedural rules which bodies can. This could be specialist dispute resolution service providers, arbitration courts, or the CAS Anti-Doping Division for example.

A pool for first instance hearings can be appointed by the ADO who has jurisdiction over the case or can be provided by a specialist dispute resolution service provider or the CAS Anti-Doping Division.

Career progression and professional development

The appointment to a hearing panel pool is a senior position that recognizes the expertise of the person in a specialist area (such as law, science, medicine, sport).

Opportunities for further progression in the anti-doping industry include the opportunity to access senior management positions in RMA, once the appointment to the pool is expired (given the requirement for independence).

Pool members are expected to keep abreast of legal developments and can be trained by the RMA, ideally together with external persons, including WADA. Opportunities for professional development may also include further education in international law, including sports law, arbitration, litigation, or case law in anti-doping.

Examples of job titles

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National Anti-Doping Panel, Specialist Member

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National Anti-Doping Panel, Legal Member

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Anti-Doping Hearing Panel, Member

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Arbitrator

Collaborators

WADA, while leading the standard setting work to develop the role descriptors, works collaboratively with stakeholders and WADA technical teams. The development work for Results Management was conducted by the Technical Working Group composed of:

- Daniel Thomas Kim - FIFA
- James Laing - UK Anti-Doping
- Kataoka Akira - Japan Anti-Doping Agency
- Kevin Bean - Canadian Centre for Ethics in Sport
- Laura Gallo - Athletics Integrity Unit
- Luciana Correa - Autoridade Brasileira de Controle de Dopagem
- Njeri Onyango - ADAK Hearing Panel member
- Tharinda Puth - WADA
- Thomas Delaye - Badminton World Federation
- Zinzi Sitoto - International Paralympic Committee

This group was chaired by Education practitioners from the anti-doping industry:

- David Müller - NADA Austria
- Erik Duiven - Dopingautoriteit

Quality Management

Version: 1.0

While WADA will update this document regularly to ensure it remains up-to-date, version 1.0 specifically is published as part of a pilot project and will be reviewed at the conclusion of the pilot.

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GDLF Overview

One of WADA's six priorities under the World Anti-Doping Agency's 2020-2024 Strategic Plan is to 'Grow Impact'. As one of the key initiatives under this priority, the Agency has committed 'to developing training programs and qualifications standards for anti-doping professionals to improve professionalism and enhance the capabilities of the anti-doping workforce'.

Accordingly, in April 2020, WADA's Education Department commenced development of a Global Learning and Development Framework (GLDF), through which specific, standardized training for a range of anti-doping roles are being developed and made available for Anti-Doping Organizations (ADOs) and other stakeholders worldwide within the anti-doping ecosystem. The GLDF establishes role descriptors, professional standards and global learning and development activities for practitioner roles in the anti-doping industry.

The role descriptors have been used by WADA to develop competency-based training programs. They can be read alongside:

- (1) the professional standards for the corresponding role, which describe the expected standard of competence for a given role
- (2) the anti-doping core competency framework, which details the values and competencies that are common across the various roles in the anti-doping industry.

*** The Professional (occupational) Standards are the benchmarks of good practice and describe the expected standard of competence for a given role. They should not be confused with the International Standards, which are a set of documents that, along with the World Anti-Doping Code, seek to harmonize anti-doping policies, rules and regulations among Anti-Doping Organizations (ADOs) for specific technical and operational parts of anti-doping programs.***