



EFL & FSA Supporter Engagement Meeting

21 July 2021 – Remote Meeting

EFL Executive

Trevor Birch, CEO
Mark Rowan, Communications Director
Nick Craig Governance and Legal Director
Ben Wright Chief Commercial Officer
John Nagle, Head of Policy
Andy Pomfret, Head of Supporter Services
Peter Hannon, Public Affairs Manager (notes)
David Cookson, Football Services Director
Russell Byrne Head of Digital

FSA Executive

Ashley Brown
David Rose
Anwar Uddin

Championship

Roger Titford – Reading Supporters Trust
Pav Samra – Punjabi Rams (Derby County)

League One

Niall Couper – Dons Trust (AFC Wimbledon)
Peter Leatham - Accrington Stanley ST
Ian Bridge - Bolton Wanderers ST
James Young - Cheltenham Town ST

League Two

Philippa Whittaker – Oldham Athletic ST
John Needham – Iron Trust (Scunthorpe)

1. Welcome and Introductions

Mark Rowan (MR) welcomed everyone to the meeting and commenced introductions. Mark thanked FSA for inputting into, and providing advance notice of, the agenda items. He added that while the EFL will endeavour to provide detail where possible throughout the meeting, asked for everyone's understanding there may be areas of legal and commercial sensitivity.

2. Matters arising from the last meeting

All matters arising have been actioned on EFL side. There were no further comments from the FSA or Club representatives.

3. Club issues

Nick Craig (NC) highlighted issues at two Clubs where the EFL had also been in direct contact with the Club's supporters trust. NC set out how the EFL had worked with Swindon Town and Rochdale to ensure that their respective Supporters' Trusts understood ongoing process, and that, while not possible to give an ongoing commentary regarding ownership changes, the EFL had issued public statements wherever possible to give supporters as much information as was practical.

NC noted that there is still a considerable amount of misconception about what the Owners' and Directors' Test (OADT) is and can do. It is not subjective and does not extend to anyone who is not a relevant person under the regulations. It is the role of the EFL to have rules and apply them appropriately.



NC stated that the EFL needs to balance the integrity of the competition and the relationship between Clubs so where regulation breaches occur action does need to be taken against Clubs as much as individuals.

MR followed up on the point about the wider understanding of EFL regulations. The EFL has produced podcasts covering how rules are applied, and these have been published over the close season on topics such as safeguarding, fixture compiling. This week will focus on financial sustainability and there will be an episode on the Owners' and Directors' Test produced shortly.

ACTION – MR TO CIRCULATE LINKS TO RELEVANT EFL PODCAST EPISODES FOR WIDER DISTRIBUTION BY THE FSA

Ashley Brown (AB) said that the FSA appreciated increased transparency and welcomed the EFL speaking to Rochdale and Swindon Trusts even though the EFL is limited in what it can say publicly. AB said there were several other issues that Club representatives wished to raise.

Pav Samra (PS) began by raising matters at Derby County. PS said that the EFL taking action in this case had highlighted concerns for fans about the way the Club is run but there was also a concern that the EFL has a 'vendetta against the Club'. PS expressed the view that the recent statement released with the 2021/22 fixture list announcement seemed unfair on fans of both Derby County and Wycombe Wanderers. PS went on to suggest that supporters didn't know how far Eric Alonso had got with the EFL in terms of acquiring the Club, and it seemed all the information was coming from fan research. PS finished by stating his belief that, over time, frustration has become increasingly directed towards the EFL, rather than Derby County's owners.

Philippa Whittaker (PW) raised her thoughts on matters at Oldham Athletic. She made reference to the closure of the North Stand to fans, and said that fans were not told by the owners the consequences of taking out a survival loan, such as being under a paid transfer embargo.

Roger Titford (RT) noted that Reading seems to be under a transfer embargo for breaching Profit and Sustainability rules. He asked if Academy players debuts last year are actually working against the Club now in reaching a 23 man squad. RT said fans have no sense how long this embargo will last or what might need to change to lift it.

Ian Bridge (IB) said that transparency should be encouraged. The EFL Podcasts were very welcome news and the more information in the public domain the better.

MR said that all the various comments had been noted and thanked supporters' representatives for letting the EFL know about the views from the Clubs.

NC then responded in turn to each of the points raised. Starting with Derby County, NC said the EFL is transparent about almost all disciplinary proceedings as the regulations state all decisions are published. Everything with regards to Derby has been laid out in full in the various published decisions. NC pointed out that Derby County had themselves asserted the claim that there was a vendetta from the EFL against the Club, an allegation which was refuted by the EFL entirely, and was dismissed by an independent panel. NC also made clear that the Independent Disciplinary Commission controls the time of any process, not the EFL. With regards to Mr Alonso, NC stated that the EFL challenged Mr Alonso in a number of respects and no approval had been issued.

Turning to Oldham Athletic, NC stated that it is for the Club to publish the loan details not the EFL. However, when the EFL began publishing details of transfer embargoes it was thought that it would



encourage Clubs to be more open and transparent. The embargo in place at Oldham is based on the requirement to meet financial commitments.

With regards to Reading, NC stated that under regulations the EFL engages with Clubs to discuss measures to lift any embargo, and also clarified some of the details regarding Profit and Sustainability rules in relation to first team squad members.

4. Governance matters

a) Fan Led Review

MR noted that this was the First structured meeting since the launch of the Government's fan led review of football governance. MR invited John Nagle (JN) to set out the EFL position.

JN said that the EFL had been happy to contribute to the fan led review, and it had been a good chance to engage with issues around the game both in terms of issues arising from the attempt to form the European Super League and more long term systemic ones.

The EFL has provided evidence to the fan led review both in writing and in person.

JN set out the key themes of the EFL's evidence. These themes focussed on the game's finance and governance model and the financial transition between divisions as well as financial sustainability. JN said the EFL's position was that if these issues could be addressed, particularly a better distribution of the game's finances, it would lead to better ownership, better run Clubs, better competition on the field and better relations between Clubs and supporters.

JN stressed that the EFL position is not just about more money for the EFL but also about better financial controls. The EFL believes measures to increase revenue have to be accompanied by Clubs living within their means. JN said there were discussions ongoing with L1 and L2 about Salary Cost Management Protocol and Championship Profit and Sustainability regulations which has been set out to the review panel.

JN said the EFL remained happy to engage in dialogue around independent regulation. The Interim report was likely to be a starting point in this area. JN said that if it was ultimately determined that independent regulation was necessary, the EFL position was that the regulator should focus on 4 areas; governance models, financial distributions, approving takeovers/Owners and Directors Test and club heritage issues.

AB said that the FSA had engaged in four hours of verbal evidence and supplied 220 pages of written evidence. These submissions largely covered similar areas and the FSA approach will help EFL in short and long term. FSA members also provided evidence. Many more months of discussions are ahead and FSA is keen to be involved in that representing the voice of fans.

b) Other issues

PW and IB raised additional concerns around governance and communication at Oldham Athletic and Bolton Wanderers respectively.

MR thanked representatives for bringing those to the EFL's attention. The EFL will take relevant points to the Clubs themselves.



MR made the point that the EFL does monitor compliance with structured engagement regulations on an annual basis.

Andy Pomfret (AP) stated EFL regulations set out the minimum requirements but in reality a significant number of Clubs far exceed this level of engagement. Many Clubs are also highly transparent around their activities with supporter groups and organisations but the EFL will continue to enhance its guidance and best practice moving forward, and it is an area where it would be beneficial to continue to share ideas with the FSA.

ACTION - EFL to engage FSA on future guidance to Clubs.

5. Return of fans

a) General Update

JN stated that as of Monday we moved to step 4 of roadmap. This was a hugely significant step but not one without its challenges.

JN reported a better situation in Wales too from 7 August at level 0 with no capacity restrictions

JN emphasised that implementation is now the key issue, the winter will be challenging.

JN stated that the Government were saying that COVID certification was likely to come into place, in some form at some point.

Use of certification in the Government's Events Research Programme has thrown up a lot challenges including the lack of connectivity around the ground prevent people being able to show the passports.

The pilot phase of the Events Research Programme only finished on 18 July, so guidance may take a while to come through. A number of questions remain and the EFL has been working to obtain further guidance around the use of lateral flow testing, vaccine passports, and potential challenges relating to Clubs mandating their use. JN stated that the EFL will continue to work closely with the Sports Ground Safety Authority and UK Sport on this issue.

b) Streaming

Ben Wright (BW) stated that broadcast remains critical from an income perspective. Contracts dictate what the EFL can do in this space.

Last season streaming was not without challenges but the EFL delivered 6 million streams, 450k paid for streams and £45m income for Clubs but that did not cover the £250m in lost in gate receipts.

BW stated his huge thanks for people who left season ticket money in Clubs and supported by paying for streaming but this was still only a partial substitute for matchday income.

In season 2021/22 the EFL is reverting to its broadcast mode under the terms of its various contracts.

This season the EFL reverts back to 37 weekend 9 midweek model (League One and League Two are different without international break). BW said to be conscious of the fact that postponements for both COVID reasons and non-COVID reasons, such as weather, were all possible and that scheduling remains a challenge



From the start of the season 2021/22 the EFL have agreed with Premier League and The FA and Clubs that streaming will return to normal. Saturday 3pm kick offs will not be streamed in England. Although the EFL accepts that this might have to change as circumstances and Government guidance changes.

BW said discussions are ongoing about streaming non 3pm fixtures but the EFL is likely to stream scheduled midweeks, displaced weekend, bank holiday and some international weekend fixtures only

Moving forward, the EFL intends to look closely at the interaction between broadcasting, streaming and attendances with a view to what happens beyond its existing TV contract (expires in 2024)

c) “For the game we love” Campaign

MR set out plans to launch an umbrella campaign to encourage fans back to grounds. The aim is to show people that grounds are safe and a great place to be.

The campaign will be available on EFL channels and to all Clubs across all competitions. It will run across the whole season.

MR said the messaging is an authentic representation of supporter sentiments. Fans have a true love for their Club and “For the game we love” is a key strand of the messaging.

The campaign will also reflect the diversity and inclusivity of the EFL.

AB said that a number of members contacted FSA about the lack of refunds at Clubs. Clubs had not clear season tickets could be substituted with iFollow passes. The FSA has challenged a number of Clubs on this, many do not consider iFollow passes to be a like for like replacement.

AP stated that the EFL has been aware of some issues and has liaised with the Independent Football Ombudsman as required. While Club ticketing policies are matters for Clubs themselves, the EFL has provided guidance for Clubs and also recently issued best practice guidance for the new season on matters relating to season ticket terms and conditions. AP said the guidance emphasises the need to be clear what supporters get in event of a cancellation.

ACTION FSA and EFL to pick up any ongoing individual Clubs’ issues in this area

ACTION EFL to look at sharing season ticket terms and conditions guidance

RT asked will there be guidance for supporters organising away travel. Are there restrictions on away tickets?

JN replied that there will be no restrictions on away tickets as a starting point but it is not clear how each local authority will handle the current situation.

JN stated that there was no guidance from EFL on travel organisation but supporters would need to follow Govt guidance.

James Young (JY) asked what guidance is there on mask wearing on terracing? JY Supported the blackout returning for 3pm games but there should be consideration for some older people have used iFollow to get back into supporting the Club

AP said the EFL has referred to the Supporters Code of Conduct with Clubs, and Clubs will be utilising the code as they see appropriate for fans’ return. The FSA should encourage groups to engage with their Clubs on latest copies of the Code, and where possible, input into any discussion.



AB asked will passports be needed at all events or just larger capacity ones? A mix and match approach could easily lead to confusion especially in League One. There doesn't seem to be a perfect answer. Where do you draw the line?

JN stated that this issue is top of the EFL priority list. Currently there is no clarity beyond the term "very large, structured events" which is the wording in the Government guidance. There is likely to be a two tier approach within the EFL.

Dave Rose (DR) asked Are we envisaging that for the first games of the season we are back to normal and then covid passports will come in later in the season?

JN replied that is how the EFL understand it. JN believes it is more likely a move towards certification at the end of September but can't rule anything out.

JN confirmed that the EFL open to discuss this issue at any point

d) Survey

DR shared data from the FSA fan survey with the EFL before the meeting. DR said the data shows a large appetite to returning to football from fans.

6. Equality Diversity and Inclusion (EDI)

a) EFL EDI review

JN said that the process set out at the previous meeting for the EFL's EDI review was now coming to a conclusion and will be discussed with board next week. JN thanked the FSA for useful conversations with Anwar Uddin and Fans for Diversity.

JN said that the EFL will appoint new Head of EDI who will be challenged with developing and delivering a 5 year strategic plan to deliver this work.

b) Matchday activity

MR set out how the EFL has undertaken a consultation to build a picture of views on what we do on a matchday. A specialist research agency were engaged and stakeholders including FSA were consulted.

MR said that work has concluded. Early findings were a wide range of views in a difficult landscape but that there were huge benefits in coming together on a collective basis as per social media boycott.

The research will inform potential activity the EFL might run on a matchday. There was still as question as to what does that look like.

MR stressed this research looked not only about taking the knee but about the broader issue of anti-discrimination.

Anwar Uddin (AU) said it would be great to be involved in the discussions on the findings and delivery if possible. AU warned that sometimes generic campaigns can lack impact.

ACTION EFL to discuss anti-discrimination on matchday activity with AU

7. Climate change

AB set out how the FSA AGM had passed a motion to support and lead on climate change projects within football. The FSA are keen to work with Clubs and fans of Clubs.



JN stated that approach is helpful. The EFL had a piece of work that was due to start in March 2020. It was put on hold on account of the pandemic. That work is now being reactivated and launched in the next couple of months. JN was happy to explain the scheme to the FSA and see what involvement they can have.

8. AOB

RT asked if the “For The Game We Love” campaign be Club branded.

MR confirmed this would be the case.

JY asked for a timeframe for announcements on iFollow.

MR said that there was not yet a firm timescale but clearly time is of the essence. The EFL will keep the FSA posted in advance of any announcement.

Trevor Birch (TB) commented on the earlier discussion on transparency. TB said that the EFL is committed to improving transparency. TB welcomed the FSA shining a spotlight where needed. TB reminded everyone that Clubs are their own businesses but stated that the FSA has TB’s firm commitment that the EFL are focussed on this. TB hoped that the move to publish transfer embargoes against the wishes of some Clubs showed that the EFL are committed to transparency. TB stated that this is his personal agenda.

AB confirmed that the FSA will continue to help shine a spotlight on Clubs.

MR thanked everyone for their time and the meeting was concluded.