Effective governance and management of football club foundations and trusts.

Alex White
Quality Assurance and Governance Manager
Premier League Charitable Fund
Setting the scene
Premier League Charitable Fund

- Established in 2010, the PLCF is one of the biggest sports charities in the world, with an annual budget in excess of £35m.

- The independent charity supports Club Community Organisations (CCOs) in delivering high quality projects and evidences its success to key stakeholders.

- Aligned with the Premier League (PL) Communities strategy, the PLCF is highly ambitious and aims to create positive and lasting sporting, social, health and education outcomes for a wide range of beneficiaries, especially children and young people.

- The PLCF team supports and inspires impactful work via 92+ CCOs, including those in the PL, English Football League (EFL) and National League.
Aims

• Improve the quality of delivery funded programmes

• Improve the performance of funded organisations

• Sustainably improve infrastructure and capabilities

• Demonstrate the value of PL investment

• Collaborate with the PL to continue to bring investment and resources into programmes
Context

• Public trust in charities is at its lowest in over a decade.

• High profile cases have drawn attention to systemic shortcomings and failures.

• Organisations which enjoy the privilege of being a charity have the reciprocal obligation to protect and nurture public trust for the sake of everyone.

• Benefit of charities to Public is a precious asset which can’t afford to be risked and which has the potential to do much more.

• Football Club Community Organisations (CCOs) are no exception to the rule.

• Growth in broadcast revenues fuelled further scrutiny from Government and Public.

• Charity Commission has published a new Statement of Intent which sets out the core purpose and priorities for charities to 2023.

• Critical that football acts responsibly and can demonstrate effective governance and management of both PLCF and EFLT as grant makers and CCOs as grant recipients.
Capability Status
2019-22
Capability Status 2019-22

• PLCF’s overarching due diligence process for ensuring effective governance and management of club community organisations (CCOs).

• New process for 2019-22 to be completed once over 3-year funding cycle.

• Submission and assessment brought forward to allow greater preparation and planning ahead of new funding cycle.

• CCOs are required to undertake a self-assessment against all Recommendations in the new Capability Code of Practice.

• Where a Recommendation is not mandatory CCO may choose to implement it in the future as part of an overall 3-year continuous improvement plan.

• For each Recommendation, CCOs self-assess the level of compliance using the following RAG rating system:

  • **Red** = Not Met  
  • **Amber** = Partially Met  
  • **Green** = Fully Met
Capability Status 2019-22

• ‘Comply or explain’ principle applies and provides opportunity to present alternative if good governance can be achieved by other means, with reasons explained clearly and carefully.

• PLCF appointed Ernst and Young LLP to undertake independent assessment process.

• CCOs will receive an assessment report outlining strengths and actions required/ opportunities for improvement.

• CCOs will be required to submit an action plan detailing planned activity against outstanding Recommendations.

• PLCF and EFLT will monitor performance against the action plan each season.

• CCO may be subject to audit and/or checks during this timeframe.
Capability Code of Practice
Background

- Current Capability Status approach provided thorough appraisal process to help manage the risk of funding distributed by the PLCF.

- However, quality review highlighted need for new set of quality standards in response to changing demands of the sector.

- British Standards Institute (BSI) commissioned to develop standards through consensus building process involving stakeholders across the sector, including CCOs.

- In 2017/18, six CCOs across PL and EFL participated in a pilot to test suitability of draft set of standards.

- Pilot programme and wider consultation led to development of the NEW Capability Code of Practice, a unified approach for all CCOs.

- CCOP may form the basis of a Publicly Available Specification (PAS) following launch.
Overview

- Aim is to support CCOs achieve positive impact for its beneficiaries and communities.
- Outlines recommendations for effective governance and management.
- Provides framework for continuous improvement.
- Used by CCOs to self-assess and benchmark against established good practice and standards.
- Used by PLCF and EFLT to monitor performance and guide resources and support.
- Does not make provision for legal and regulatory requirements.
- Recommendations are specific, achievable and applicable to all CCOs.
- Some are mandatory and required to secure PLCF and EFLT funding.
- ‘Comply or explain’ rule applies and permits application of alternative good governance.
- Organisational culture is critical to achieving and maintaining standards.
### Sections

- The Capability Code of Practice comprises 14 key areas of governance and management;

1. Structure  
2. Affiliated Club  
3. Governance and the Board  
4. People  
5. Strategy and Implementation  
6. Safeguarding  
7. Finance  
8. Equality, Diversity and Inclusion  
9. Data Protection  
10. Risk Management  
11. Health and Safety  
12. Incident Reporting  
13. Impact  
14. Communication  

- Total of 168 Recommendations, some of which are required to secure PLCF and EFLT funding.
Structure

Section 1
Structure

• Section focused on legal form and status of the CCO

• Contains 6 Recommendations

• Where the CCO is a registered charity, all Recommendations are considered requirements for PLCF & EFLT funding

• Where a club delivers its community provision through a department of the club rather than a Foundation or Trust, the ‘comply or explain’ rule applies.

• In all cases the structure of the organisation or department should support its effective operation and demonstrate transparency and accountability to funders, beneficiaries and the wider public.

• **Suggested evidence:** Governing document; Certificate of Incorporation; Board meeting minutes demonstrating last review; Conflicts of interest policy/procedure.
Affiliated Club

Section 2
Affiliated Club

• Section focused on relationship with the club; support, collaboration and joint working; and player engagement.

• Contains 5 Recommendations

• 4 Recommendations are requirements for PLCF & EFLT funding

• **Suggested evidence:** Written agreement between CCO and its affiliated club; Minutes of Board level meetings between CCO and its affiliated club; Player engagement policy and action plan.
Governance and the Board

• Section focused on Governance and management responsibilities; Role of the Board; Board composition; Appointment of Trustees; Board and Trustee conduct; Board meetings; Board effectiveness; Conflicts of interest; Board committees and working groups;

• Contains 41 Recommendations in total (it is the largest section!)

• 20 Recommendations are requirements for PLCF & EFLT funding

• **Suggested evidence;** Governing document; Organogram/staff chart; Board role description; Senior Executive role description; Schedule of matters reserved for the Board; Trustee induction procedure; Register of members; Membership form; Last three Board meeting minutes; Skills audit; Report from last Board review; Trustee recruitment policy/procedure; Board code of conduct; Register of interests; Committee terms of reference.
People

Section 4
People

• Section focused on Organisational structure; People resources; Roles and responsibilities; People management; and Training and workforce development;

• Contains 14 Recommendations

• 11 Recommendations are requirements for PLCF & EFLT funding

• Suggested evidence; Organogram/staff chart; Scheme of delegation; Skills audit; Staff and volunteer role descriptions; HR policies and procedures; Code of conduct; Induction records; Training and workforce development plan/records; Satisfaction survey; Appraisal form.
Strategy and Implementation

Section 5
Strategy and Implementation

• Section focused on Purpose; Vision, mission and values; Strategy; Business plan; Policies and procedures.
• Contains 18 Recommendations
• 11 Recommendations are requirements for PLCF & EFLT funding
• **Suggested evidence**: Constitution; Board Minutes; Statement of vision, mission and values; Strategy; Strategy development papers.
Safeguarding

Section 6
Safeguarding

• Section focused on Policy and procedures; Management of safeguarding; Training and support; and Service delivery.

• Contains 16 Recommendations

• All 16 Recommendations are requirements for PLCF & EFLT funding

• CCOs should refer to relevant guidelines as per League standards

• **Suggested evidence;** Safeguarding Policy; Board Minutes; Procedures; Role Description; Records; Training records.
Finance

Section 7
Finance

- Section focused on Financial planning and budgets; Systems and controls; Accounts and reporting; Reserves; Investment policy; Banking; and Trading subsidiary.

- Contains 20 Recommendations

- 12 Recommendations are requirements for PLCF & EFLT funding

- **Suggested evidence;** Financial plan /policies budget; Income generation plan / fundraising strategy; latest annual report and accounts; latest set of management accounts.
Equality, Diversity and Inclusion

- Section focused on Policy and procedures; Equality action plan; Internal arrangements and operations.
- Contains 16 Recommendations
- 12 Recommendations are requirements for PLCF & EFLT funding
- **Suggested evidence;** Policy, Strategy, Role description for staff equality and inclusion lead, Role description for board equality and inclusion lead, staff & volunteer code of conduct.
Data Protection

Section 9
Data Protection

• Section focused on Data protection policy and procedures.
• Contains 5 Recommendations
• All 5 Recommendations are requirements for PLCF & EFLT funding
• **Suggested evidence;** Data protection policy; Privacy policy and supporting procedures.
Risk Management

Section 10
Risk Management

- Section focused on Risk management policy and procedures.
- Contains 6 Recommendations
- All 6 Recommendations are requirements for PLCF & EFLT funding
- **Suggested evidence:** Risk management policy; Risk tracker; Risk assessment procedure; Business continuity plan; Insurance policy.
Health and Safety

Section 11
Health and Safety

• Section focused on Health and Safety policy and procedures

• Contains 2 Recommendations

• Both Recommendations are requirements for PLCF & EFLT funding

• **Suggested evidence;** Health and Safety policy; Risk assessments; Emergency procedures; Accident log; Staff training log.
Incident Reporting

• Section focused on Recording and reporting of incidents.
• Contains 2 Recommendations
• Both Recommendations are requirements for PLCF & EFLT funding
• **Suggested evidence;** Incident log; Minutes of Board meetings demonstrating reporting of incidents.
Impact

• Section focused on Planning; Monitoring and Assessing impact; and Quality assurance.
• Contains 7 Recommendations
• 3 Recommendations are requirements for PLCF & EFLT funding
• Suggested evidence; Strategy; Policy and procedures; Board Report; Annual report; Summary of review.
Communication

Section 14
Communication

- Section focused on Policy; Staffing; Communications plan; Annual reporting; Online presence; Internal communications; and External communications and PR.

- Contains 10 Recommendations

- 5 Recommendations are requirements for PLCF & EFLT funding

- **Suggested evidence**: Policy, Role descriptions; Communications plan.
Bibliography
Bibliography

- 24 listed documents within the Capability Code of Practice which are outlined in the Bibliography
- These include references to specific guidance from a range of sectors including; Charity, Local Government, & Football
- CCOs are encouraged to review and refer to the sources for guidance and support during the Capability Code of Practice.
- The Bibliography does not reference statutory legal guidance and documentation
Further Reading
Further Reading

• A selection of material is provided in the further reading section for your perusal.

• Where the material is available online a weblink has been included.

• CCOs might find the guidance useful when considering a particular area in more detail.

• The further reading section covers the following areas specifically;

  - General
  - Governance and the Board
  - Finance
  - Equality, diversity and inclusion
  - Data protection
  - Risk management
  - Health and safety
  - Reporting incidents
  - Communication
Initial feedback.
Initial findings

• Provided an opportunity to step back and assess health of organisation.
• Importance of being honest in self-assessment, opportunity to improve the organisation.
• It is an on-going process and CCOs must take opportunity to embed a culture of continuous improvement.
• Helped to improve relationships with Trustees and Club staff – shared responsibility.
• Provides transparency and clear direction for team and staff.
• Share the workload across senior staff and Club support.
• Create a project working group and delegate responsibility for collating evidence.
• Effective governance and management isn’t achieved overnight.
Questions?
Thank you.

Alex White
Premier League Charitable Fund
Quality Assurance and Governance Manager

Premier League Charitable Fund
30 Gloucester Place
London
W1U 8PL

T: +44 (0) 20 7864 9000
D: +44 (0) 20 7864 9091
M: +44 (0) 7860 953 779
E: awhite@premierleague.com