

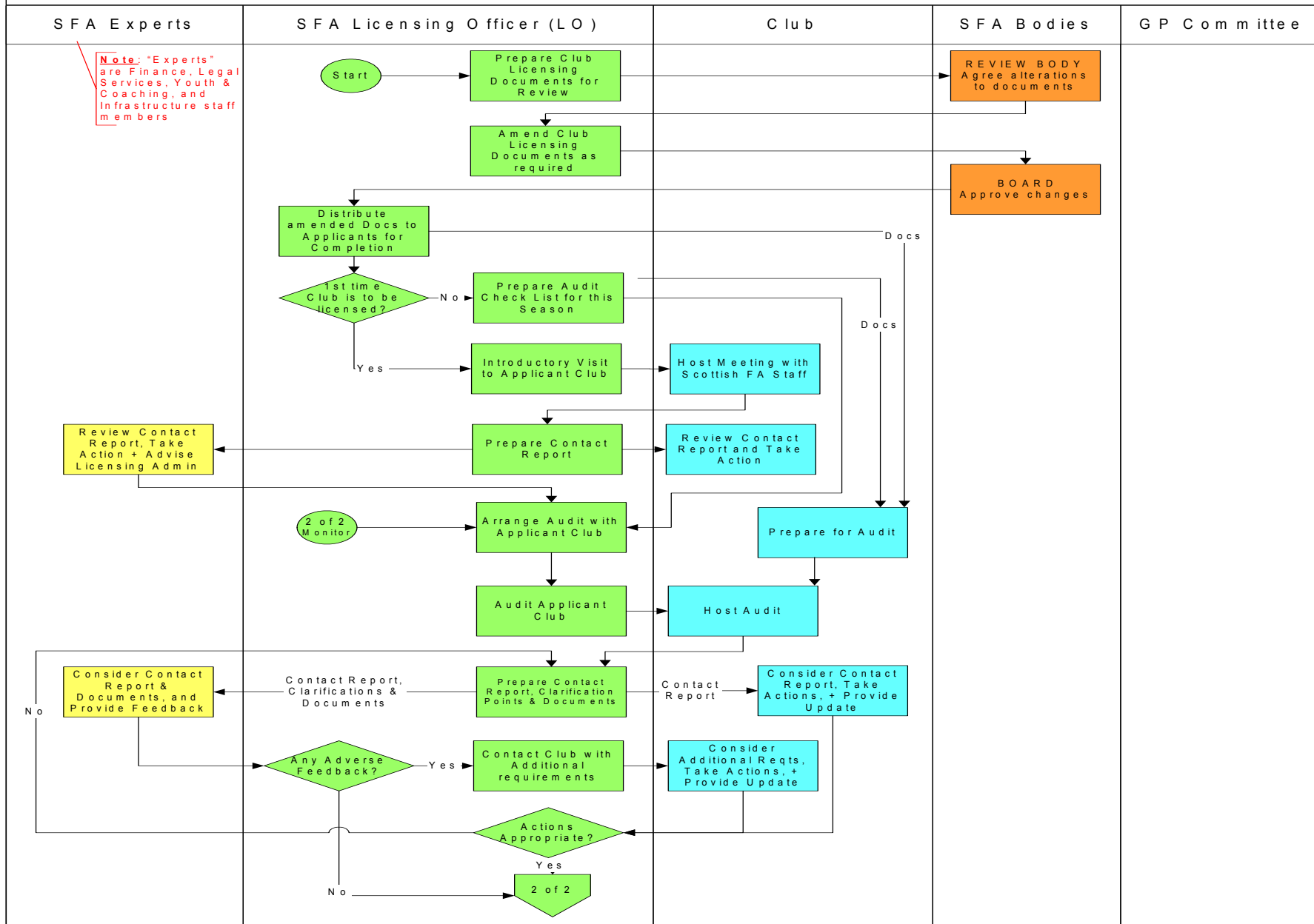
4 Core Process

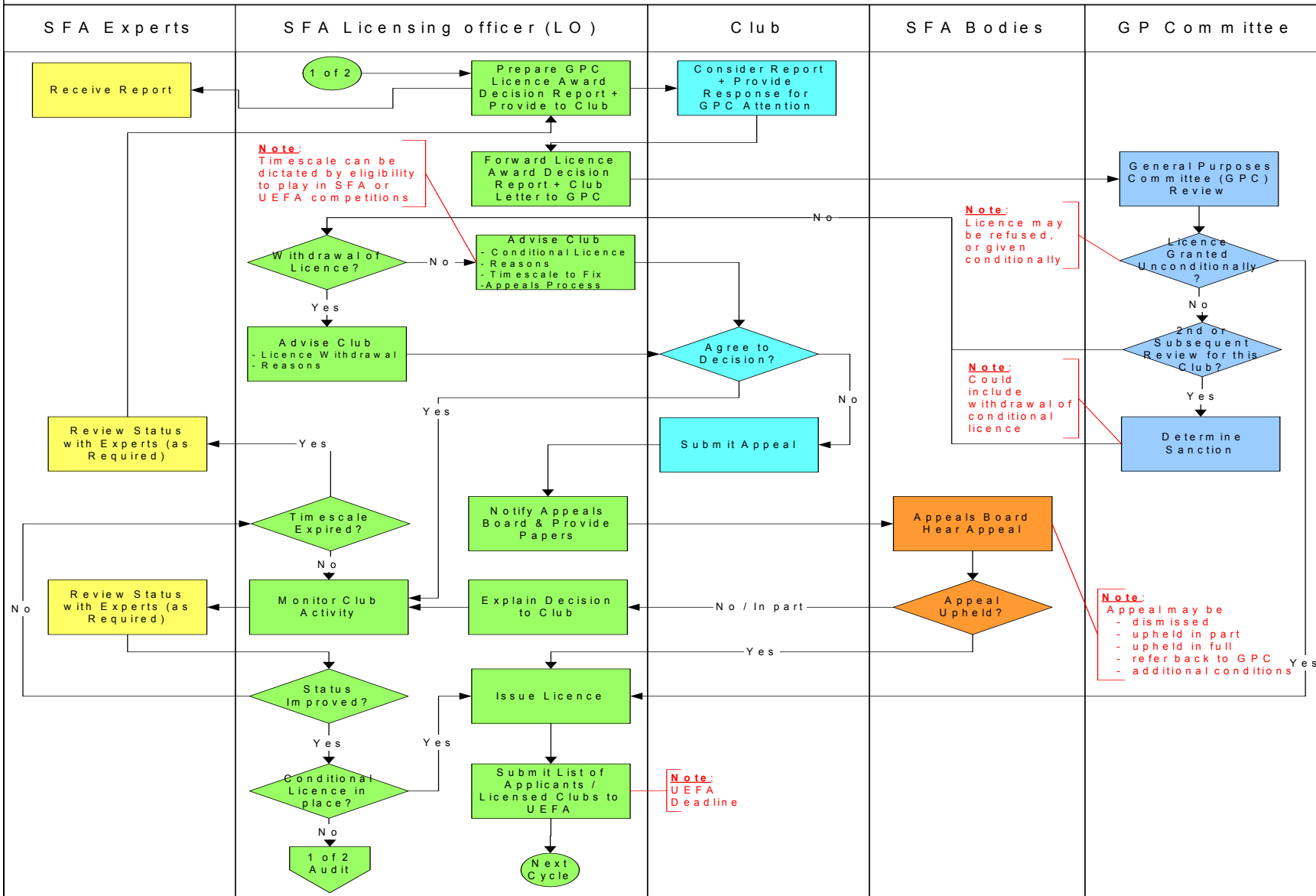
The Core Process describes the process steps and activities of the Scottish FA in its management of club licensing.

4.1 Objectives

The objectives for the Core Process are as follows:

- As a means of assuring that club licensing processes are carried out to a planned arrangement according to the requirements of the system;
- As a means of providing transparency of the activities;
- As a means of guaranteeing an equitable and consistent approach;
- As a means of informing all stakeholders of the process steps;
- As a means of providing a format that assists in the continual improvement of club licensing activities.





4.3 Process Steps

4.3.1 Supporting Documents

A number of supporting documents are used in the Club Licensing process. In terms of the Core Process these are -

Contact Report on Introductory Meeting (CRI)	This document is issued following upon the Introductory Meeting. It details areas for clubs to address in order to meet the criteria requirements of the audit.
Table of Club Evidence (TCE)	This document is used by the Licensing Officer (LO) to record information during the audit visit on each aspect of the criteria.
Contact Report on Club Audit (CRA)	This document is issued following upon the Club Audit. It details areas for clubs to address in order to meet the criteria requirements in advance of the GPC meeting.
Review Document (RD)	This document is used by the experts as a means of communicating feedback to the Licensing Officer (LO) on the information provided by the LO and club.
Licence Award Decision (LAD)	This document is issued to the GPC, club and experts and provides information from which a Licence Award decision is reached. The document is issued prior to the decision and following it. It includes information on the audit, variances from the criteria and information on the club. The LAD also records the decision of the GPC and Appeals Board (if relevant) and provides clubs with details of the Appeals Procedures.

These documents are controlled by a procedure as detailed in the Quality Manual.

4.3.2 Prepare Club Licensing Documents for Distribution

Licensing Officer (LO) prepares the appropriate documents. Documents to be prepared following a review by the Review Body (RB). The RB will consider revisions and improvements to the Club Licensing Manual including those required by UEFA and following upon feedback from the GPC, clubs, Licensing Administration staff and any other relevant groups or individuals.

The Board will agree alterations to the Club Licensing Manual prior to its distribution.

The designated financial expert will prepare the financial documents and these will be dispatched to all SPL clubs with specific UEFA timescales identified. This will include the consequences of failure to meet the required deadlines.

4.3.3 *Introductory Visit to Club*

LO organises meeting with club at its ground to discuss the criteria and assist club in meeting the requirements.

LO completes a report following the meeting – the Contact Report on Introductory Meeting (**CRI see 4.3.1**).

The **CRI** shall record the names and positions of those present, the date and place of the meeting, the purpose, discussion and action points from the meeting and details of those to obtain a copy of the **CRI**.

Non- conformities involving UEFA mandatory criteria will be specified and the club advised.

CRI to be circulated to club and experts.

Experts to action areas as identified on report and confirm activity to LO.

Clubs that have already undergone the licensing process will not undergo another introductory visit.

4.3.4 *Audit Club*

LO agrees audit date with club and visits club ground to conduct audit.

Clubs that have already undergone the licensing process will be provided with a checklist of points by the LO that need to be updated/reviewed following the last audit. This will detail the areas to be audited. Particular care will be taken by the LO in meeting the UEFA process requirements.

- 1 Opening meeting – LO explains the process
 - For the audit.
 - Timescales and assistance available to clubs to address non-conformities.
 - The review process by the experts.
 - The review by the GPC in determining the award of a licence.
 - The Appeals Procedure.

- 2 Review of club documents – LO reviews club documents in relation to the criteria checklist
 - LO electronically records information by means of a laptop using the Table of Club Evidence (**TCE see 4.3.1**).
 - A record shall be made on the **TCE** where original documents are provided. Copies shall be taken and originals returned to the club intact.
 - Various documents to be retained. This shall include Safety Certificate, Safety Policy, Contingency Plan, Floodlight Report, Job Descriptions, Youth Player details, Supporters Charter, Equity Policies, Financial Statements, Interim Statements, Club Statutes.
- 3 Visual Inspection – the following areas shall be inspected
 - Sample points of access to the ground.
 - The Control Room or point.
 - The field and surrounding areas (at least two sample measurements must be taken).
 - Access points for players/match officials.
 - Dressing rooms (all 3).
 - Medical/First Aid Facilities (both players and spectator areas).
 - Sample spectator areas including toilet facilities.
 - Media seated areas.
 - Training facilities (visits can be organised separately)
- 4 Discussion with club representatives
 - LO shall determine those personnel at the club who shall be consulted. This will normally involve the nominated Security Officer and the Head of Youth Development.
 - LO shall record details of those consulted on the TCE.
- 5 Closing Meeting
 - LO provides the club with a verbal summary of each section of the completed **TCE**.
 - LO identifies variances from the criteria and outlines these to the club contact.
 - Variances from UEFA mandatory requirements will be specified and the consequences of failing to meet these requirements outlined.
 - LO provides guidance on tackling the “non-conformities” and agrees timescales and activity to remedy these.
 - LO will advise the club of the decisions that may be taken by the GPC.
 - (a) a decision to reject the licence application pending immediate remedial action by the club : Licence Rejection.
 - (b) a decision to award a Licence with certain conditions pending remedial action by the club : Licence Granted Conditionally.
 - (c) a decision to award the Licence with no conditions attached : Licence Granted Unconditionally.
 - (d) or any other decision that the GPC considers it would be appropriate to take in order to deal justly with the case in question.

- 6 Recording – LO records the visit by
- Completing each section of the **TCE**.
 - Recording the names and positions of those spoken with on the **TCE**.
 - Recording the date and place of the meeting on the **TCE**.
 - Recording the areas of the ground inspected on the **TCE**.

4.3.5 *Prepare Report to Club and Experts and Dispatch*

LO provides club and experts with a report on the audit by means of a Contact Report on Club Audit (**CRA see 4.3.1**).

This report will provide timescales and activities for the club to address non- conformities and areas for improvement.

Non- conformities involving UEFA mandatory criteria will be specified and the club advised. This will comprise part of the **CRA** template.

Experts will provide feedback on report within 7 days to LO if relevant. This will be provided on a Review Document (**RD see 4.3.1**). Financial documentation and Legal documentation will be provided to the designated financial and legal experts respectively.

4.3.6 *Review Club Activity and Prepare Report to GPC*

LO will review club activity as a consequence of the audit visit and seek guidance from experts where necessary. Club will be asked to redress where relevant.

LO will prepare the Licence Award Decision (**LAD see 4.3.1**) Report. **LAD** will provide details on the audit including variances and relevant issues. This will be dispatched to club for comment in the first instance and club given the opportunity of responding (usually within 5 days).

Dependent upon the time of year, the financial requirements for SPL clubs will be included on the **LAD** at this point. If not these will be dispatched at a later date. Reference will be made on the **LAD** in both cases. *Financial documents are to be provided by SPL clubs by March 31st in each calendar year and by SFL clubs by 30th April in each calendar year*

Non- conformities involving UEFA mandatory criteria will be specified and the club advised of the outcome of failing to meet the rigid deadlines in place. This will comprise part of the **LAD** template.

LAD and club response (if provided) is dispatched to GPC and experts.

4.3.7 GPC Meet and Review

LO will ensure that the procedure “Management for the Decision Making Bodies” as detailed in the Quality Manual is adhered to.

GPC determine the award based upon the criteria, information provided on the **LAD** and the recommendations of the LO and Experts.

GPC can decide to

- (a) reject the licence application pending immediate remedial action by the club : Licence Rejection.
- (b) to award a Licence with certain conditions pending remedial action by the club : Licence Granted Conditionally
- (c) to award the Licence with no conditions attached : Licence Granted Unconditionally.
- (d) Take any step which, in its discretion, the GPC considers it would be appropriate to take in order to deal justly with the case in question.

GPC will provide the club with an explanation of the reasons for its decision as well as timescales to address variances from criteria. UEFA mandatory criteria requirements will be given appropriate timescales as determined by UEFA.

LO shall communicate the decision to the club within three days of the decision using the **LAD**. The **LAD** provides the club with the Appeals Procedure.

4.3.8 Outcome of GPC Review

Clubs will be given time to address variances. Club's compliance with these timescales shall be monitored by the LO. Should a club disregard the timescales set, the GPC will meet for a second time to consider the club's case.

Sanctions are available to the GPC including a fine, suspension or expulsion.

4.3.9 Appeals Board

LO will not sit on the Appeals Board but will ensure that the procedure “Management for the Decision Making Bodies” as detailed in the Quality Manual is adhered to.

Appeals procedures are as follows (reference numbers are taken from the Articles of Association)–

134.3 A recognised football body, club, official, player, Player’s Agent or referee has the right to appeal against a decision of a Standing Committee of the Association which imposes a fine or suspension or expulsion upon such body or person, or in the case of National Club Licensing a club has the right to appeal against any decision of the General Purposes Committee, excluding a decision of the Chairman of the Appeals Committee or a decision which is applied in accordance with the Disciplinary Procedures. Notwithstanding the foregoing, it is acknowledged that an appeal from a club in relation to National Club Licensing may include a re-hearing and fresh evidence.

An appeal shall be permitted only on one or more of the following grounds:-

- (1) the Standing Committee whose decision is appealed against failed to give the appellant a fair hearing;
- (2) the Standing Committee whose decision is appealed against acted unconstitutionally;
- (3) the Standing Committee whose decision is appealed against came to a decision which it should not have come to on the facts of the case;
- (4) the penalty imposed was excessive or inappropriate;
- (5) the decision of the General Purposes Committee in relation to National Club Licensing Procedures was wrong in law, in breach of the rules of natural justice or otherwise flawed.

An appeal hearing shall not be conducted as a re-hearing of the case except with the permission of the Appeals Board.

134.3.1 Procedures for Lodging an Appeal

An appeal from a recognised football body, club, official, player or referee must be dispatched by recorded delivery letter to the Secretary within 7 days after the date of the meeting at which the decision appealed against was taken unless for any reason it was not made known to the appellant at such meeting, in which case it must be dispatched by recorded delivery letter to the Secretary within 7 days after the date on which the decision was intimated by recorded delivery letter to the body or person concerned. A deposit shall be lodged with each appeal. In the case of a player or referee this shall be £20, and in the case of any other appellant it shall be £100. At the Appeals Board's discretion, the deposit will be forfeited if the appeal is dismissed.

134.3.2 Statement of Grounds for Appeal

In lodging an appeal the appellant shall state fully in writing the grounds for the appeal and shall specify on which one or more of the permitted grounds the appeal is based.

134.3.3 Representation of Appellant

An appellant may be accompanied by a representative as follows:-

In the case of a recognised football body or club – by a second accredited official of such recognised football body or club.

134.3.4 Composition of the Appeals Board

The Appeals Board shall be formed of:-

- An independent Chairman;
- An Honorary Vice-President of the Scottish Football Association;
- A maximum of three other members to be selected from a panel determined by the Board composed of persons who are experienced in the affairs of Scottish football. No representative of the appellant shall be eligible to sit on the Appeals Board and no representative of the Association or member of the Board shall be eligible to sit on the Appeals Board if he has been present at the meeting of the Standing Committee whose decision is appealed against.
- If an Honorary Vice-President is unable to take his place, an eligible member of the Council shall be appointed to maintain the full complement of the Appeals Board. The independent Chairman shall have a casting as well as a deliberative vote.

134.3.5 Powers of the Appeals Board

The Appeals Board shall have the power to:-

- (1) affirm the decision of the Standing Committee concerned;
- (2) uphold the appeal by setting aside the decision appealed against and quashing any penalty imposed;
- (3) uphold the appeal in part by setting aside part only of the decision appealed against;
- (4) substitute for the decision appealed against a decision to find the appellant guilty of a lesser offence and/or to impose a lesser penalty or penalties in respect thereof;
- (5) refer the case or any part of it back to the Standing Committee concerned;
- (6) in relation to National Club Licensing, impose additional conditions, sanctions or impose a greater penalty or penalties in respect thereof;
- (7) take any step which, in the exercise of its discretion, the Appeals Board considers it would be appropriate to take in order to deal justly with the case in question.

If the appeal is unsuccessful, the appellant may be held liable in all or part of the expenses of the meeting, subject to the discretion of the Appeals Board.

An appeal may be withdrawn by an appellant prior to the hearing of the case by notifying the Association of such in writing. The appeal will, upon the Association's receipt of such notification, be deemed to be abandoned and the original decision, against which the appellant initially took exception, will be regarded as final and binding. Upon the withdrawal of an appeal, the appeal deposit will be automatically forfeited. The appellant may be held liable in all or part for the expenses of the appeal procedure subject to the discretion of the Appeals Board.

134.3.6 Decisions of the Appeals Board

The decision of the Appeals Board shall be final and binding on all parties concerned subject to the arbitration procedure, which may be available to the appellant to the Court of Arbitration for Sport. However, in relation to any matters concerning National Club Licensing or the National Club Licensing Procedures, the decision of the Appeals Board shall be final and binding on all parties concerned.

134.3.7 Secretariat

The Association's administration shall provide the secretariat of the Appeals Board.

4.3.10 UEFA Deadline (SPL clubs).

LO shall communicate details of those clubs to UEFA that have

- Qualified on sporting merit
- Have undergone the licensing process in accordance with the UEFA Core Process
- Have met all minimum UEFA mandatory criteria to the satisfaction of the GPC or Appeals Board as detailed above.

4.3.11.1 Key Dates in the Process

June/July - Meeting of Review Body.

August/September - Approval of the Board and documents dispatched to clubs.

31 March - Return of Financial Documentation from SPL clubs. This date will apply for all criteria i.e. the LO will schedule club audit visits with a view to having received all club information by 31 March at the latest. SFL club financial documents shall be returned by 30 April at the latest.

Mid/End March - GPC meets to consider all SPL club submissions or alternatively the financial aspects (other criteria having been considered at an earlier juncture).

Mid/End April - Appeals Board meets to consider any club appeals.

15 April – Scottish FA to communicate to UEFA the possibility of an SFL club qualifying for any of the UEFA Club Competitions.

31 May – Scottish FA to provide UEFA with details of the relevant clubs.

4.3.11.2 Admission of an SFL club to the UEFA Club Competitions

If an SFL club qualifies for any UEFA Club competition (e.g. by winning the Scottish Cup), the Licensing Administration of the SFA will submit an extraordinary submission to UEFA. This request must be submitted to UEFA by 15th April.

SFL clubs are subject to the Club Licensing system although not all UEFA criteria or UEFA core process requirements apply to clubs in the SFL. These will be outlined to UEFA and the UEFA Administration will respond to the request by establishing the minimum criteria and procedural requirements for the club concerned, as well as the necessary timeframe for compliance. For this purpose, UEFA will take in to account the requirements of the Scottish FA's Club Licensing System as well as the status of the club in question.

It will be the responsibility of the Scottish FA to verify the club's compliance with the established extraordinary admission criteria and to notify UEFA of the outcome. If the club fulfils the extraordinary admission requirements within the stipulated deadline it will be admitted to the UEFA Club competition in question on an exceptional basis with special permission from UEFA.