

The Football Association - Governing Body Endorsement Requirements for Men's Team Performance Manager

**THE FOOTBALL ASSOCIATION
MEN'S TEAM PERFORMANCE MANAGER - POINTS BASED SYSTEM
2020/2021 SEASON (1 JANUARY 2021 ONWARDS)**

The rules and criteria set out in this document will apply for the remainder of the 2020/21 season and will be effective from 1 January 2021. The criteria will be reviewed in early 2021 in order that revised criteria can be issued in advance of the summer transfer window before the 2021/22 season.

For any queries regarding these criteria or the application process, please contact Freddie Carter (Player Status Department) at Freddie.Carter@thefa.com (or registrations@thefa.com) or on 0844 980 8200 # 4818.

Please note that this guidance should be reviewed in conjunction with the relevant advice issued by the Home Office. The FA is not registered to give advice on immigration routes or processes or to advise on an individual's immigration status and clubs should fully apprise themselves of their duties and responsibilities as sponsors. Information on aspects of immigration policy and law can be found on the Home Office website at www.gov.uk/browse/visas-immigration. You may also wish to seek advice from an Office of the Immigration Services Commissioner (OISC) registered advisor or someone who is appropriately qualified but otherwise exempt from such a registration requirement, for example, a qualified solicitor. The UK Visas and Immigration Centre can be contacted on 0300 123 2241.

Clubs are advised to allow sufficient time for entry clearance or leave to remain to be granted. The time taken may vary depending upon where the Performance Manager is making his or her application from. A guide to visa processing times is available on the Home Office website at: www.gov.uk/visa-processingtimes.

Please note that an individual's personal and immigration history may be taken into account when their application is being considered.

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GLOSSARY

Aggregated FIFA World Rankings means the aggregated rankings list for senior men's international teams over a period of two years that are published by The FA following publication of the FIFA World Rankings. This list is available on www.thefa.com.

Band 1 means the English Premier League, the Bundesliga, La Liga, Serie A and Ligue 1.

Band 2 means the Portuguese Primeira Liga, Eredivisie, Belgian First Division A, the Turkish Super Lig and the English Championship.

Band 3 means the Russian Premier League, Campeonato Brasileiro Série A, Primera División of Argentina, Liga MX and the Scottish Premiership.

Band 4 means the Czech First League, Croatian First Football League, the Swiss Super League, La Liga 2, Bundesliga 2, Ukrainian Premier League, the Greek Superleague, the Colombian Categoría Primera A, the USA's Major League Soccer, the Austrian Football Bundesliga and Ligue 2.

Band 5 means the Serbian SuperLiga, the Danish Superliga, the Polish Ekstraklasa, the Slovenian PrvaLiga, the Chilean Primera División, the Uruguayan Primera División and the Chinese Super League.

Certificate of Sponsorship means a certificate assigned to a Performance Manager pursuant to a club's Sponsor's Licence.

Exceptions Panel means a panel appointed by The FA to consider an application for a GBE in accordance with paragraphs 19-26.

Extended GBE means a new GBE applied for by a Club in respect of a Performance Manager who has already received a GBE for that Club which is due to expire.

GBE means Governing Body Endorsement.

Home Association means The Scottish Football Association, the Football Association of Wales and The Irish Football Association.

Performance Manager means a performance manager or coach (including but not limited to a fitness, goalkeeping, youth, academy and/or throw-in coach) who is not a citizen of the United Kingdom or Ireland and has not acquired permanent residence in the United Kingdom, been granted pre-settled status or settled status under the EU Settlement Scheme or who is not eligible to apply to the EU Settlement Scheme (and has until 30 June 2021 to do so).

PBS means the Home Office Points Based System.

Relevant Interested Parties means a representative of (i) the league in which the Performance Manager is employed, or will be employed if the application for a GBE is successful, and (ii) the League Managers Association.

Season means the period commencing on the date of the first match of the Premier League or English Football League and ending on the date of the last match of the Premier League or English Football League.

Sponsor's Licence means a licence obtained from the Home Office under the PBS.

Stakeholders means The FA, The Premier League, The English Football League and The League Manager's Association.

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The FA means the Football Association.

Tier 2 means T2 Sportsperson.

Tier 5 means T5 (Temporary worker – Creative and Sporting).

Top League means any league in Band 1, Band 2, Band 3, Band 4 or Band 5.

GOVERNING BODY ENDORSEMENT REQUIREMENTS

GBE STATUS

1. Before a Performance Manager is permitted to undertake any employment duties for the club, the club must have obtained a GBE in respect of the Performance Manager and the Performance Manager must have been assigned a Certificate of Sponsorship by that club and secured leave to remain under Tiers 2 or 5 of the PBS.
2. A club can apply for a GBE for a Performance Manager at any time during the Season. In order to apply for a GBE, a club must hold a valid Sponsor's Licence under Tier 2 and/or Tier 5 of the PBS. In order to apply for and obtain a valid Sponsor's Licence, a club must have obtained an endorsement letter for a Sponsor's Licence from the FA. If a Club's Sponsor's Licence is revoked, any Performance Manager who has obtained a GBE in order to play for the Club may have his or her leave curtailed and may have to make a change in employment application which must be granted before the Performance Manager can undertake any employment duties for the new club.
3. Clubs in the Premier League or English Football League are eligible for a Sponsor's Licence. Clubs in other leagues within the men's football pyramid are not permitted to employ Performance Managers unless:
 - a) The Performance Manager has obtained a visa outside the GBE system which permits them to play football (on such terms as they in fact play); and
 - b) The Performance Manager's employment by the club complies with the terms and conditions of their visa and any relevant immigration law, including the Immigration Rules (or any successor legislation).
4. If The FA grants an application for a GBE for a Performance Manager in accordance with these criteria, the club is permitted to assign a Certificate of Sponsorship to the Performance Manager for the period covered by the GBE. The GBE must be presented to the Home Office when the club applies for entry clearance on behalf of a Performance Manager, which must be done within three months of a Certificate of Sponsorship being assigned. Any Certificate of Sponsorship and a copy of the Performance Manager's biometric residence permit must be submitted to The FA by the club within three months of being assigned. Clubs must keep a copy of the relevant page of the Performance Manager's passport evidencing their entitlement to work and contact details for the Performance Manager, which must be provided to The FA upon request. The club will also have to comply with any other criteria set by the Home Office in order to secure leave to remain under Tier 2 or Tier 5 of the PBS.
5. A GBE under Tier 2 of the PBS will be granted for three years or the length of the Performance Manager's contract (whichever is shorter) and a GBE under Tier 5 of the PBS will be granted for twelve months or the length of the Performance Manager's contract (whichever is shorter). A Performance Manager will not be eligible to undertake employment duties for the club beyond the expiry date of the GBE unless the club has

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applied for and obtained an Extended GBE before the existing GBE has expired in accordance with these criteria and the PBS.

Extensions to or transfers of a GBE

6. An Extended GBE under Tier 2 of the PBS can be obtained for three years or the length of the Performance Manager's contract (whichever is shorter). If a GBE was granted for less than twelve months under Tier 5 of the PBS, an Extended GBE can be obtained to extend the period of the Performance Manager's GBE to a total of twelve months and the application can be made within the country. If a Club wishes to grant an Extended GBE under Tier 5 of the PBS to extend the period of the Performance Manager's GBE to over twelve months, the Performance Manager must leave the country before the expiry of the twelve month period and make an application for an Extended GBE under Tier 5 of the PBS.
7. A Performance Manager who has been granted a GBE under Tier 5 of the PBS can apply (in country) to transfer to a GBE under Tier 2 of the PBS, provided that application is made within twelve months of the Tier 5 GBE being granted. The club must submit a new application for a GBE and provide a pass certificate, or other written confirmation containing an appropriate reference number, from an accredited English language test centre that the Performance Manager has passed the English language test required to secure leave to remain under Tier 2 of the PBS (in addition to the documents listed in paragraph 12).
8. A Performance Manager who has been granted a GBE must submit a new application for a GBE if he or she wishes to take up that role with another club. If the GBE is granted, the Performance Manager must submit a change of employment application to the Home Office, which must be granted before the Performance Manager can undertake any employment duties for the new club.
9. Any application for an Extended GBE (in accordance with paragraph 6), a transfer of a GBE (in accordance with paragraph 7) or a new club application for a GBE (in accordance with paragraph 8) shall be considered as follows:
 - a) If the Performance Manager's meets the criteria set out in paragraph 16, a new or Extended GBE will be granted (as appropriate).
 - b) If the Performance Manager's does not meet the criteria set out in paragraph 16, the club must submit any information which it considers to be relevant to its application to The FA. The FA will then provide this information to the Relevant Interested Parties by email. The FA and the Relevant Interested Parties shall consider this information, and any other information which they deem to be relevant in their absolute discretion, to determine whether the Performance Manager remains of sufficient quality to be awarded a GBE. The FA and the Relevant Interested Parties shall make a decision by simple majority and if a majority of The FA and the Relevant Interested Parties recommend that the Performance Manager should be awarded a GBE, a new or Extended GBE will be granted (as appropriate).
 - c) The Performance Manager shall not have a new or Extended GBE granted (as appropriate) other than in accordance with paragraphs 9.a) or 9.b) above.
10. If a Performance Manager:
 - a) does not turn up for employment;
 - b) is absent for more than 10 working days without permission;
 - c) has his or her contract terminated during the period that a GBE is effective;
 - d) is no longer sponsored by the club for any other reason; or

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- e) experiences any significant changes in circumstances (such as a change in job title, salary or location of employment),

the club must inform the Home Office within 10 days.

- 11. The club must also inform the Home Office if there is a change of circumstances at the club within 20 working days. A change in circumstances might include changes of name, address or contact details, changes in structure (including mergers, takeovers and de-mergers), changes in financial circumstances (such as administration, receivership, company voluntary arrangement, debt arrangement scheme, liquidation or sequestration)

APPLICATION PROCESS

- 12. A club must submit a fully completed application form for a GBE (see Appendix 1) to The FA's Player Status Department along with any evidence in support of the application.
- 13. The club must also pay an administration fee of £500 plus VAT for each application within 14 days of the date on which the decision is communicated to the club. Each club shall bear its own costs in respect of any application.
- 14. If any information submitted as part of the GBE application process is amended (including the terms and conditions of a Performance Manager's contract or scope, job description or nature of the role):
 - a) before a GBE has granted and before the Performance Manager has commenced his or her role, the club must inform The FA who may require a new application to be submitted (and a new fee to be paid);
 - b) after a GBE has been granted but before the Performance Manager has commenced his or her role, the club must inform The FA who may require a new application to be submitted (and a new fee to be paid);
 - c) after a GBE has been granted and after the Performance Manager has commenced his or her role, the club must inform the Home Office via the Sponsorship Management System. The Home Office will confirm whether they require a new application to be submitted (and a new fee to be paid).
- 15. If a new application is required in accordance with paragraphs 14.b) or 14.c), it will be assessed by reference to the criteria set out in this document and the Club must comply with paragraphs 12-13 of these criteria in respect of the new application. The FA may also inform the Home Office who may curtail the Performance Manager's right to work.

CRITERIA

- 16. A Performance Manager will only be granted a GBE if:
 - a) The Performance Manager has responsibility for some (if not all) of the following activities:
 - i. Coaching teams, by demonstrating techniques and directing training and exercise sessions
 - ii. Controlling discipline and recruiting ancillary staff such as coaches or physiotherapists
 - iii. Monitoring and/or analysing technique and performance and determining how future improvements could be made
 - iv. Providing effective leadership to the performance team to support the strategic performance needs of the club

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- v. Providing expert performance advice to the manager and board on all performance matters
 - vi. Working and improving on the strength and conditioning of the first team squad
 - vii. Managing the key fitness, performance and sport science staff.
- b) The Performance Manager holds an undergraduate degree or masters in sport science or a related discipline.
- c) The Performance Manager:
- i. has been employed as a Performance Manager for at least five years in a Top League or national association; or
 - ii. has five years' experience in similar elite sports.
17. If a Performance Manager is not granted a GBE in accordance with paragraph 16 above, the Club may request that an Exceptions Panel consider the application. If the Club requests an Exceptions Panel, the procedure in paragraphs 19-26 shall apply.
18. If a Performance Manager is not granted a GBE in accordance with paragraphs 16 or 19-26, he or she will have no further opportunity to apply for a GBE unless his or her circumstances change and will not be eligible to be the Performance Manager for the applicant club.

EXCEPTIONS PANELS

Please note that Exceptions Panels will not be available after the Winter (January) Transfer Window in 2021.

19. If a club requests an Exceptions Panel in accordance with paragraph 17, The FA will appoint an independent panel of three members, which shall include one legally qualified chair and two panel members who have relevant experience at the top level of the game (the "**Panel Members**").
20. A fee of £5,000 plus VAT will be charged for every Exceptions Panel, which must be paid by the club in accordance with paragraph 0.
21. The club will be notified of the identity of the Panel Members and have the opportunity to challenge the appointment of any Panel Member on the basis of an actual or perceived conflict of interest. Each Panel Member shall also have the opportunity to declare an actual or perceived conflict of interest (of him or herself or any other Panel Member) to the Chair or, if the conflict of interest relates to the Chair, to The FA. The Chair, or The FA respectively, shall then determine whether the Panel Member should be excluded from participating in the application. If the Panel Member is excluded from participating in the application, The FA will appoint a replacement Panel Member (to whom this paragraph shall also apply).
22. The Exceptions Panel can request any further information from the secretariat or the applicant club that it deems necessary, in its absolute discretion, in order to make its decision. If an Exceptions Panel meeting has been convened or is in progress when a request for further information is made, the Chair may adjourn the meeting to allow the information to be gathered. Where it is able to do so, the applicant club or the secretariat will supply the further information to the Exceptions Panel within a reasonable timescale.
23. The Exceptions Panel shall only recommend to The FA that a GBE be granted if it is satisfied that the Performance Manager is of the highest calibre and is able to contribute significantly

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to the development of the game at the top level in England. In doing so, the Exceptions Panel will have regard to any matters that the Exceptions Panel determine to be relevant in its absolute discretion.

24. The Exceptions Panel will make its decision, based on the papers submitted to it, at an in-person or virtual meeting at which The FA will provide appropriate secretarial support. Each Panel Member has one vote and the decision will be made by a simple majority, with the chair having a casting vote.
25. If the Exceptions Panel recommends to The FA that a GBE be granted, The FA will consider whether to grant a GBE (but is under no obligation to do so).
26. Written reasons for the decision will be supplied by the Exceptions Panel to the applicant club. An anonymised summary of each decision will be made available (on a confidential basis) to all Stakeholders and Stakeholders may make these summaries available to clubs in the Premier League or English Football League.

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Appendix 1

Application Form

POINTS BASED SYSTEM

Application for a Governing Body Endorsement
for a Performance Manager

Please refer to the criteria for The FA's Governing Body Endorsement ("GBE") under the Points Based System (the "Criteria") when filling in this application form. Defined terms used in this application form are set out in that document.

1.	Contact details of applicant Club (employer)
Name:	
Telephone:	Mobile:
E-mail:	

2.	Performance Manager details
Title:	
Surname/Family Name:	
First Name:	
Date of birth:	
Age:	
Nationality:	

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Passport Number:
Government issuing passport:
Has the Performance Manager previously held a Work Permit/Certificate of Sponsorship: If YES: (a) please give details of employer and dates: (b) please confirm whether this is an application for an extension of a GBE:
Performance Manager's current place of residence:

3. Application details
Tier 2 or Tier 5 of the Home Office Points Based System:
Length of Performance Manager's contract From: To:
Length of GBE sought:

4. Skills and Experience
Please provide evidence to show that the Performance Manager will have responsibility for at least some of the matters listed in paragraph 16 of the Criteria for the applicant club (including, but not limited to, a job description for the role).

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Please provide evidence that the Performance Manager holds a relevant qualification in accordance with paragraph 16 of the Criteria.		
Management/Coaching History		
Please provide evidence that the Performance Manager has been employed as a Performance Manager for at least five years in a Top League or national association or has five years' experience in similar elite sports.		
Time Period	Position Held	Club/National Team
<i>(Example)</i> <i>June 2008- August 2009</i>	<i>Performance Manager</i>	<i>FC Barcelona</i>

5.	Exceptions Panel
Are you requesting that an Exceptions Panel consider the application:	
If so, please provide evidence of any relevant factors in support of your application:	

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6.	Details of Representatives being used by Club (e.g. Solicitors)
Name:	
Telephone:	Mobile:
E-mail:	

7.	Declaration (to be given by an authorised signatory of the applicant club)
<p>The details given in this application are true and complete to the best of my knowledge and belief.</p> <p>The employer named in this application is responsible for the terms and conditions of employment and any requirements for registration or licensing necessary for the employment which is subject to this application.</p> <p>The employer holds a valid sponsor's licence under Tier 2 and/or Tier 5 of the PBS so as to be eligible to assign Certificates of Sponsorship and is aware of its duties to comply with immigration law, including co-operating, record-keeping and reporting.</p>	
Signature:	
Date:	
Name (in CAPITALS please):	
Position:	
For and on behalf of:	

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Please submit the application to:

Player Status Department

The Football Association

Wembley Stadium

PO Box 1966

London SW1P 9EQ

Email: Registrations@thefa.com