



FOR ALL

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THE COUNTY FOOTBALL ASSOCIATIONS

## **INTRODUCTION**

The Football Association [The FA] Media Essentials Guide is produced each season to ensure that print, broadcast and online journalists understand The FA's Rules and Regulations, and report on incidents during the season accurately for their viewers, readers or listeners.

The FA's regular on and off-field regulatory and disciplinary processes that football 'participants' could be subject to during the 2022/23 are explained by step-by-step guides and timelines in the form of background guidance.

Any updates from FIFA and the International Football Association Board [IFAB] that could have implications for English football are also detailed throughout.

If you have any questions on these topics during the season, please contact The FA's Media Relations team in the first instance using:

Media.Relations@TheFA.com

The FA's Rules and Regulations are available in full via: www.TheFA.com/football-rules-governance

NB: The 2022/23 Media Essentials Guide does not alter or replace The FA's Rules and Regulations, which should be referred to for the comprehensive provisions relating to its disciplinary matters, and is accurate at the date of publication.



Cautions Suspensions

Crowd Management

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## THE LAWS OF THE GAME

The International Football Association Board [IFAB] approved the 2022/23 Laws of the Game at its 136th annual general meeting, and they became effective from 1 July 2022 for all friendly matches and competitions. Key changes and amendments include:

#### SUBSTITUTIONS:

- The maximum number of named substitutes has increased from twelve to fifteen but this change remains the choice of the competition organiser;
- The maximum number of substitutes each team is permitted to use is now five. However, national associations can determine the maximum number in youth football;
- Teams in 'top' competitions only have three opportunities to make substitutions, and other competitions have the option to implement this rule;
- Each team may additionally make substitutions at half time, in the period between full-time, the start of extra time, and at half-time in extra time;
- If a team has not used the maximum number of substitutes and/or substitution opportunities, any unused substitutes and opportunities may be used in extra time;
- Where competition rules permit one additional substitute in extra time, each team will have one additional opportunity.

#### **TEAM OFFICIALS:**

- A team official may now be cautioned [yellow card] or sent off [red card] during kicks from the penalty mark;
  - A team official is any non-player/substitute listed on the official team list e.g. coach, physiotherapist or doctor.



## **VIDEO ASSISTANT REFEREES**

The Video Assistant Referee [VAR] system will continue in specified rounds of the Emirates FA Cup and Carabao Cup, as well as every game week of the Premier League during the 2022/23 season.

VAR involvement will remain limited to the four match-changing decisions or incidents below:

#### GOALS:

- Whether an offence has been made by the attacking team in the build-up to a goal;
- Goals can be disallowed subsequently if there is a foul; a player is in an offside position or the ball goes out of play in the build-up.

#### MISTAKEN IDENTITY:

- A possible mistaken identity in awarding a yellow or red card can be reviewed;
- Either a potential case of mistaken identity is noticed and reviewed or a match official suspects a potential case of mistaken identity has occurred and instructs for a review to be conducted.

#### PENALTIES:

- Whether a penalty has been awarded incorrectly or if an offence has not been penalised can be reviewed:
- Whether a foul has taken place; if an incident has occurred inside or outside the penalty box; a player is in an offside position or the ball has gone out of play in the build-up to a goal can be reviewed.



- Reviews are limited to straight red card offences and not second yellow cards;
- Either a straight red card offence that was 'not seen' by the match officials is reviewed or a match official suspects a potential straight red card offence has been missed and instructs for a review to be conducted.

The 2022/23 VAR protocols are available in full via: www.fifa.com

NB: The possible implications of VAR decisions on The FA's regulatory and disciplinary processes are outlined in respective sections of this guide.

## **ON-FIELD MATTERS**

#### THE FAST-TRACK PROCESS

The FA's 'fast-track' process expedites the timescales of disciplinary proceedings for certain incidents that occur on or around the field of play.

Some cases considered under the 'fast-track' process can be investigated, charged and heard before the relevant 'participant' plays in their next competitive match.

The timeline for a 'not seen' incident is detailed below:

TIMELINE	
Deadline for a charge to be issued:	Within two business days of the incident
Deadline for a reply and supporting evidence:	By close of play on the day following the charge
Deadline for a hearing to take place:	Prior to the team's next competitive match



#### STANDARD CHARGE V. NON-STANDARD CHARGE

Most on-field incidents are treated as either a 'standard' case i.e. typical or a 'non-standard' case i.e. more serious or where the 'participant' has committed similar misconduct over a recent period [usually 12-months] by The FA.

In 'standard' cases, a pre-determined sanction for the type of misconduct is offered with the charge and the 'participant' can accept it without undergoing a Regulatory Commission hearing. Early admission of 'standard' charges can also lead to reduced penalties.

A 'participant' can also admit a 'standard' charge without accepting its pre-determined sanction if it is felt to be disproportionately harsh. A Regulatory Commission would then go on to consider written documentation in relation to the case in what is known as a 'paper hearing'.

If a 'standard' charge is denied, and the pre-determined sanction is not accepted, the 'participant' can choose either a paper or personal hearing involving a Regulatory Commission. The sanction is likely to be higher if the case is subsequently found to be proven.

In 'non-standard' cases, no pre-determined sanction is offered with the charge. A Regulatory Commission will go on to consider the case and any penalty ultimately imposed for proven or admitted charges will be solely at its discretion.

#### RETROSPECTIVE ACTION

The FA can take retrospective disciplinary action if video evidence clearly shows that a player has committed a dismissal offence that was 'not seen' by the match officials or reviewed by VAR.

#### PROCESS:

- The FA can become aware of such an incident in a variety of ways;
- A match referee may file an extraordinary incident report detailing that an incident was 'not seen' by the match officials or reviewed by the VAR;
- The FA will ask the match referee whether they or any of the match officials saw the incident before considering whether to initiate proceedings for retrospective action;
- If a VAR was active, the match referee or the VAR are also be asked whether the incident was reviewed:
- No further action is taken in almost all cases where it is confirmed that the specific act of misconduct was seen or reviewed at the time;
- If it is confirmed that the specific act of misconduct was not seen or reviewed, a panel of three ex-professional match officials is convened and asked to review all the available video footage independently;
- A charge will only be issued in circumstances where the panel is unanimous and the player in question then asked whether they admit or deny it;



- If the charge is admitted, an automatic suspension is imposed to mirror the penalty that would have been applied if the incident had been seen or reviewed at the time and the player subsequently dismissed;
- If the charge is denied, the case goes before a Regulatory Commission where video and/or written evidence can be submitted:
- If the Regulatory Commission agrees that it was a dismissal offence, an automatic suspension is imposed to mirror the penalty that would have been applied if the incident had been seen or reviewed at the time and the player subsequently dismissed;
- The Regulatory Commission may also increase or decrease the suspension in exceptional cases where either The FA has submitted that the standard punishment would be 'clearly insufficient' or the player has submitted that the standard punishment would be 'clearly excessive'.

The timeline for cases such as this is detailed below:

TIMELINE	
adline for a charge to be issued:	Within two business days of the incident
adline for the player's reply and evidence:	By close of play on the business day following the charge
adline for a hearing to take place:	Prior to the player's next competitive match

#### SUCCESSFUL DECEPTION OF A MATCH OFFICIAL

The FA can take retrospective disciplinary action in situations where a match official may have been deceived by simulation and/or feigning an injury that directly result in:

- The offending player's team being awarded a penalty;
- An opposing player being sent off from the pitch.

This power is not utilised for debatable decisions but only where there is overwhelming evidence to suggest that a player intentionally deceived a match official.

#### PROCESS:

- If The FA believes that there may be a case to answer, the incident is referred to a three-person panel consisting of one ex-match official, one ex-manager and one ex-player;
- Each panel member then reviews the footage independently of the other members;
- A charge is only issued in circumstances where the panel members are unanimous;
- A player will receive a two-match suspension in accepted and/or proven cases of simulation and/ or feigning an injury;
- Attempts to deceive a match official through simulation or feigning an injury are normally cautionable offences for unsporting behaviour. However, the fact that the simulation has succeeded and led to a penalty and/or dismissal justifies a more severe penalty that is also intended to act as a deterrent;



- These cases are heard by a Regulatory Commission if the player contests the charge;
- Only written and/or video evidence would be considered by the Regulatory Commission;
- The Regulatory Commission would also consider whether to rescind a caution or dismissal that was received by an opposing player if a charge is found proven.

The timeline for cases such as this is detailed below:

TIMELINE	
adline for a charge to be issued:	Within two business days of the incident
adline for the player's reply and evidence:	By close of play on the business day following the charge
adline for a hearing to take place:	Prior to the player's next competitive match

#### **SURROUNDING MATCH OFFICIALS**

It is the responsibility of match officials to report any incident where two or more players of a club approach them in a 'confrontational manner'. The FA will generally only investigate if such a report is received but it reserves the right to do so regardless.

The offending club, rather than its players, would be sanctioned if a charge is brought, and similar offences within the previous 12 months can result in increased penalties.

#### PROCESS:

- A match official reports such an incident to The FA;
- A charge, warning or no further action taken can follow depending on the seriousness and circumstances of the incident;
- These charges can be treated as either 'standard' or 'non-standard'.

The timeline for cases such as this is detailed below:

TIMELINE	
Deadline for a charge to be issued:	Within three business days of the incident
Deadline for the club's reply and evidence:	By close of play on the third business day following the charge
Deadline for The FA's response to the reply:	By close of play on the third business day following the club's reply
Deadline for a hearing to take place:	At the earliest opportunity but no later than 10 business days after The FA's response



#### MASS CONFRONTATIONS

It is the responsibility of match officials to report a 'mass confrontation' incident where two or more players or club officials are involved in a confrontation with opposing players or club officials. The FA will generally only investigate if such a report is received but it reserves the right to do so regardless.

The offending clubs, rather than their players or officials, will be sanctioned in the event of a charge and any similar offences within the previous 12 months can result in an increased penaltu.

- A match official reports a 'mass confrontation' incident to The FA;
- This could lead to a charge, warning or no further action taken depending on the seriousness and circumstances of the incident;
- These charges can be treated as either 'standard' or 'non-standard'.

The timeline for cases such as this is detailed below:

TIMELINE	
leadline for a charge to be issued:	Within three business days of the incident
Peadline for the club's reply and evidence:	By close of play on the third business day following the charge
Peadline for The FA's response to the reply:	By close of play on the third business day following the club's reply
Peadline for a hearing to take place:	At the earliest opportunity but no later than 10 business days after The FA's response to the club's reply

#### **TECHNICAL AREA MISCONDUCT**

All technical area occupants are bound by a code of conduct that aims to protect the image of the game and maintain a positive environment for everyone.

Match officials are responsible for ensuring that the code is implemented and reporting any example of unacceptable behaviour to The FA. Match officials can also issue technical area occupants with yellow and red cards for cautions and dismissals respectively in the following competitions:

- Premier League;
- English Football League [EFL];
- Vanarama National League;
- Emirates FA Cup;
- Carabao Cup;
- Papa John's Trophy;

- The Isuzu FA Trophy;
- Barclays Women's Super League [WSL];
- Barclays Women's Championship;
- Vitality Women's FA Cup;
- The FA Women's Continental League Cup.

If an offender cannot be identified, a yellow or red card will be given to the respective team's senior manager or coach in the technical area.

Technical area occupants also receive automatic and immediate touchline bans for the accumulation of cautions if they reach the below thresholds:

NUMBER OF CAUTIONS	SUSPENSION
Four	One match
Eight	Two matches
12	Three matches
16	Misconduct charge and Regulatory Commission

N.B. Play off matches [semi-finals and finals] in the EFL Leagues and NLS Steps 1-4, as well as finals of the Emirates FA Cup; Carabao Cup; Papa John's Trophy; Isuzu FA Trophy; Vitality Women's FA Cup; and The FA Women's Continental League Cup are exempt from any automatic touchline ban for the accumulation of cautions by technical area occupants.



#### PROCESS:

- If an individual is dismissed from the technical area, they must immediately take up a position in the directors' box or a designated approved area;
  - Individuals dismissed from the technical area in the Vanarama National League are not permitted to observe the remainder of the game;
- The match official subsequently reports the incident to The FA and this could also lead to a charge, warning, reminder of responsibilities or no further action taken depending on the seriousness and circumstances of the incident;
- These charges can be treated as either 'standard' or 'non-standard'.

The timeline for cases such as this is detailed below:

TIMELINE	
leadline for a charge to be issued:	Within three business days of the incident
eadline for the club's reply and evidence:	By close of play on the third business day following the charge
eadline for The FA's response to the reply:	By close of play on the third business day following the club's reply
Peadline for a hearing to take place:	At the earliest opportunity but no later than 10 business days after The FA's response to the club's reply

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#### **TOUCHLINE BANS**

Misconduct in the technical area can lead to a Regulatory Commission imposing a touchline ban. In those cases the following restrictions apply:

- The individual must be away from the technical area and is not permitted to sit in or behind the area of the dugout, any barrier adjacent to the touchline or goal line;
- They may only communicate with those in the dugout by either phone or a 'runner';
- The individual can communicate with the team in the changing room prior to the game and at half-time unless an 'extended' touchline ban has been imposed;
- An 'extended' touchline ban can be imposed by a Regulatory Commission if misconduct is deemed serious enough to warrant further measures;
- The individual cannot communicate with the team from 30 minutes prior to the game until 30 minutes after the game if an 'extended' touchline ban is imposed.



#### STADIUM OR GROUND BANS

Technical area misconduct can also lead to a stadium or ground ban being imposed by a Regulatory Commission and the following restrictions would apply:

- The individual cannot enter a ground or stadium that their team is playing at on a matchday;
- The individual cannot enter or use any facilities on the site of the stadium or ground that their team are playing at on a matchday;
- The individual cannot take any position immediately outside the perimeter of the stadium or ground that would give them a direct view of the pitch;
- Any breach of the terms of a ban may result in further disciplinary proceedings.

#### INCIDENTS OUTSIDE THE JURISDICTION OF MATCH OFFICIALS

There are certain incidents that fall outside the jurisdiction of match officials and can lead to 'fasttrack' charges being issued. Examples may include:

- An individual committing an act of misconduct or refusing to leave the pitch following a
- Two dismissal offences occurring before a red card is shown;
- An individual committing an act of misconduct after the match has ended and the match referee has left the pitch.

The timeline for cases such as this is detailed below:

TIMELINE	
Deadline for a charge to be issued:	Within three business days of the incident
Deadline for the club's reply and evidence:	By close of play on the third business day following the charge
Deadline for The FA's response to the reply:	By close of play on the third business day following the club's reply
Deadline for a hearing to take place:	At the earliest opportunity but no later than 10 business days after The FA's response to the club's reply



#### **CLAIMS OF WRONGFUL DISMISSAL**

If a club can prove that a player's straight red card was an 'obvious error' by the match official/s, a Regulatory Commission can remove the associated suspension.

#### PROCESS:

- The player's club must notify The FA of its intention to submit a claim of 'wrongful dismissal' by 13:00 on the first business day following the game;
- The player's club must submit any evidence to support the claim of 'wrongful dismissal' by 13:00 on the second business day following the game;
- A Regulatory Commission will hear the case and the onus is on the player's club to demonstrate via written and/or video evidence only that the match official/s made an 'obvious error' in dismissing the player;
- In incidents involving VAR, the player's club must demonstrate via written and/or video evidence only that the match referee's decision was an 'obvious error' following the involvement of VAR:
- The Regulatory Commission will decide whether the claim of 'wrongful dismissal' will be rejected, and the player's suspension therefore remains, or is upheld and the player's suspension is withdrawn with immediate effect;
- The Regulatory Commission will go on to consider whether the player's punishment should be increased if the claim of 'wrongful dismissal' is rejected;
- The Regulatory Commission also has the discretion to increase the punishment by up to twice the standard amount with immediate effect if it considers that the rejected claim 'had no prospect of success' and/or 'amounts to an abuse of the process';
- Where there are no or insufficient working days between fixtures, with Boxing Day or New Year's Day being key examples, there are further expedited timeframes to ensure the claim of 'wrongful dismissal' is heard before the next applicable fixture.

NB: A club can lodge a claim of 'wrongful dismissal' at the same time as a claim of 'clearly excessive' punishment.

#### **CLAIMS OF CLEARLY EXCESSIVE PUNISHMENT**

Clubs may also attempt to limit the sanction for a player's straight red card if they can prove that the standard punishment is 'clearly excessive' for the offence that was committed.

#### PROCESS:

- The player's club must notify The FA of its intention to submit a claim of 'clearly excessive' punishment by 13:00 on the first business day following the game;
- The player's club must submit any evidence to support the claim of 'clearly excessive' punishment by 13:00 on the second business day following the game;
- A Regulatory Commission will hear the case and its only consideration will be whether it is clear and obvious that the standard punishment should not be imposed;
- The Regulatory Commission will go on to decide the player's new punishment if the club's claim is successful;
- At least a one-game suspension will be enforced as only a claim of 'wrongful dismissal' can achieve the full withdrawal of a player's suspension;
- The Regulatory Commission will go on to consider whether the player's punishment should be increased if the club's claim is rejected;
- The Regulatory Commission has the discretion to increase the punishment by up to twice the standard amount with immediate effect if it considers that the rejected claim 'had no prospect of success' and/or 'amounts to an abuse of the process'.



#### **CLAIMS OF CLEARLY INSUFFICIENT PUNISHMENT**

If a dismissal offence is 'truly exceptional', and The FA can demonstrate the standard punishment is 'clearly insufficient', it may seek to increase the consequences.

#### PROCESS:

- The FA must submit a claim and evidence to the player's club on their behalf by 13:00 on the second business day following the game;
- The club or player has until 18:00 on the second business day following the issue of the claim by The FA to submit any evidence supporting their case that the punishment is 'clearly sufficient':
- A Regulatory Commission will hear the case and its only consideration will be whether the standard punishment should not be imposed in view of the exceptional facts of the case due to truly exceptional circumstances;
- The player would serve the standard punishment if the Regulatory Commission decided to reject The FA's claim;
- The Regulatory Commission will go on to decide the player's new punishment if The FA's claim is successful.

N.B. A club can lodge a claim of 'wrongful dismissal' at the same time as a claim of 'clearly excessive' punishment.

#### **CLAIMS OF MISTAKEN IDENTITY**

If a player believes that they have been cautioned or dismissed incorrectly because another player committed a particular offence then they can submit a claim of 'mistaken identity'.

#### PROCESS:

- A player's club must notify The FA of its intention to lodge a claim of 'mistaken identity' by 13:00 on the first business day following the game;
- The player's club must submit any evidence to support the claim of 'mistaken identity' by 13:00 on the second business day following the game;
- A Regulatory Commission will hear the case and either uphold or dismiss the claim before any suspension would be served;
- The Regulatory Commission will go on to consider whether the player's punishment should be increased if the claim is dismissed:
- The Regulatory Commission has the discretion to increase the punishment by up to twice the standard amount with immediate effect if it considers that the dismissed claim 'had no prospect of success' and/or 'amounts to an abuse of the process';
- The standard punishment will be transferred to the appropriate player if the claim is upheld;
- The FA reserves the right to request a Regulatory Commission to review an incident where evidence clearly shows a case of 'mistaken identity' but a club does not submit a claim;
- A club can also be charged with misconduct if there is evidence that it sought to gain an advantage by not submitting a claim of 'mistaken identity'.



#### **CAUTIONS**

The following leagues, cups and trophy will continue to have 'competition-specific' suspensions for the accumulation of yellow cards by players during the 2022/23 season.

- Emirates FA Cup:
- Premier League;
- EFL;
- Vanarama National League;
- Carabao Cup;
- The Isuzu FA Trophy;

- Papa John's Trophy;
- Vitality Women's FA Cup;
- Barclays WSL;
- Barclays Women's Championship;
- The FA Women's Continental League Cup.

The cut-off dates for the accumulation of yellow cards by players in leagues matches are as follows:

NUMBER OF CAUTIONS	CUT OFF DATE (INCLUSIVE)
Five [Premier League and EFL]	19 league fixtures
Five [Vanarama National League]	23 league fixtures
10 [Premier League]	32 league fixtures
10 [EFL and Vanarama National League]	37 league fixtures
15 [All leagues]	*End of the season

If a player accumulates 20 cautions during their league season they will be charged with misconduct.

The Barclays WSL and Women's Championship do not have cut-off dates. Automatic suspensions for players that accumulate five, 10, 15 or more cautions will take effect at any stage during the season.

If a player receives two yellow cards in a cup campaign they will be suspended for the next fixture in that competition. However, any single yellow cards are expunged following the quarter-final stages, and the Emirates FA Cup and Vitality Women's FA Cup could be four yellow cards rather than two depending on the point of entry.

\*This applies to the last day of the respective league's season and before any play-off matches.

#### SUSPENSIONS

All automatic suspensions are served immediately in the category of match that they were received in. For example, any player sent off in a first-team competitive match would only be able to play in reserve team matches during the course of their suspension.

Typical offences and their corresponding automatic suspensions include:

DISMISSAL OFFENCE	AUTOMATIC SUSPENSION
A second yellow card	One match
Denying a goal or an obvious goal scoring opportunity	One match
Using offensive, insulting or abusive language or gestures	Two matches
Violent conduct or serious foul play	Three matches
Spitting	Six matches
Five yellow cards within the cut-off date	One match
10 yellow cards within the cut-off date	Two matches
15 yellow cards within the cut-off date	Three matches

Players that are dismissed for a second time in a season will receive a one-match ban in addition to the automatic suspension for their offence. Players that are dismissed for a third time will receive two additional matches; and a fourth time will receive three additional matches etc.



#### **CROWD MANAGEMENT**

The FA does not have jurisdiction over individual spectators, unless they are also 'participants' in football, so any disciplinary action for crowd management issues such as discriminatory behaviour, missile throwing or incursions onto the pitch is taken against the relevant club/s.

#### PROCESS:

- The FA investigates almost all crowd management issues at fixtures;
- The FA's investigations usually involve seeking observations from the club/s concerned and agencies such as the Police;
- The FA works closely with the club/s and any agencies to ensure that those responsible are identified, dealt with appropriately by the club/s and the criminal courts where appropriate;
- Disciplinary charges may follow if The FA's investigations conclude that the club/s did not do enough to prevent and/or deal with the misconduct of spectators.

N.B. Further information in relation to discriminatory behaviour by crowds is on the following pages.

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# **EQUALITY, DIVERSITY AND INCLUSION**

The FA stands firmly against all forms of discrimination and one of our key strategic objectives is to use our influence to deliver a game free from discrimination. We are striving to ensure that our sport is a safe environment for all, which truly embraces diversity and inclusion, and challenges hateful conduct both on and off the pitch.

In late 2021 we launched A Game For All, our latest equality, diversity and inclusion strategy, which outlines our ongoing commitment to actively tackle discrimination, and will ensure this remains a core priority for English football for years to come. It follows the success of our previous equality, diversity and inclusion strategy, In Pursuit of Progress, by continuing to focus on tangible action and collaborative work across the game to create an enjoyable and even safer environment for all.

A Game For All outlines three key strategic commitments – Lead the Change, Be the Change, and Inspire the Change:

- Our commitment to Lead the Change will see us continue to actively tackle discrimination on and
  off the pitch through delivering effective sanctioning and education, furthering efforts to tackle
  online abuse, creating safe venues, and building trust in reporting mechanisms and disciplinary
  processes when discrimination occurs:
- Be the Change focuses on building a diverse workforce through education, development and
  inclusive leadership. Codes designed to drive and promote inclusion across the game, such as the
  Football Leadership Diversity Code and County FA Code of Governance, remain a priority as we
  focus on playing our part in ensuring English football is more representative of our country's rich
  diversity. Targets have been increased to build on the progress already made in the diversity of our
  workforce and new ones have been added to bring a focus to improving representation of those
  living with a disability and those coaching the women's game;
- Inspire the Change will see us use our influence to positively impact underrepresented groups in the game; including delivering programmes for a range of communities through positive action such as the England Elite Coach Programme and ensuring grassroots football becomes more representative of modern society at all levels, including those in senior roles off the pitch. We are also a signatory of the Mentally Healthy Football declaration where we share best practice with national partners in the game to create a culture in football where mental health is as important as physical health.



Highlights since the launch of A Game For All include:

- Increased representation of Black, Asian, Mixed and Other Ethnic backgrounds and females amongst The FA's total workforce, while reducing our gender pay gap even more with a median gap of 2.2% versus the UK average of 15.5%, and voluntarily publishing our ethnicity pay gap which has reduced again year on year;
- Expansion of the England Elite Coach Programme into the women's game, while exceeding ethnicity and gender targets set for England coaching staff;
- Growth in disability football participation, with opportunities to play increasing by 13% to 2,107 during the 2021/22 season despite the impacts of the COVID-19 pandemic;
- Leading by example through organisation-wide training and development on mental health, self-care, supporting others and managing stress;
- Working closely with the Government on the Online Safety Bill in order to tackle online discriminatory abuse in football and ensure that social media companies are held to account for the content on their platforms;
- Enhancements of our industry-first regional County FA Code of Governance, which includes provisions for gender diversity, ethnic diversity and youth representation across the network;
- Achieving over 50 signatories from across the professional game to The Football Leadership
  Diversity Code. It continues to strive for improved transparency in recruitment, as well as
  increased ethnic minority and female representation across senior leadership positions, team
  operations and coaching roles. It has also been expanded into the National League System,
  women's pyramid and grassroots football.

## **ANTI-DISCRIMINATION**

Anti-discrimination played a key role throughout In Pursuit of Progress, and continues to during A Game For All, with stricter regulations, new reporting mechanisms and tougher sanctions all having been introduced in recent seasons.

'Participants' and spectators who believe that they have been subject or witness to discriminatory abuse are actively encouraged to report it through the appropriate channels: The FA; the County FA network; or key partners such as Kick It Out, and all allegations will be investigated thoroughly.

Updated charging policies and sanctioning guidelines for an act of discriminatory behaviour by individual 'participants' and spectators were published ahead of the 2020/21 season. They were published after a detailed consultation process with focus groups and stakeholders such as Kick It Out, the PFA, the LMA and various representatives from clubs and leagues.

Match-based sanctions of six to 12 games are recommended to Regulatory Commissions for almost all 'aggravated breaches' of FA Rule E3 that are a first offence by individual 'participants'. A range provides greater scope for cases to be sanctioned appropriately and consistently based on their individual circumstances and seriousness.

The sanctioning guidelines also allow Regulatory Commissions to apply a match-based sanction below this standard range where an offence is 'in writing only or via any communication device' and another specific mitigating factor is present to ensure fair outcomes. However, any decision must be in the best interests of anti-discrimination in football and the absolute minimum sanction in such cases will be three games.



A Regulatory Commission will impose any sanction that it considers to be appropriate if a match-based sanction cannot be applied due to the role of a 'participant' and impose mandatory education courses as part of all sanctions for 'aggravated breaches' by 'participants'.

In cases where there is clear evidence of discriminatory chanting by supporters, The FA will act against the relevant club/s and recommend that a Regulatory Commission imposes an action plan for a first offence. While a range of financial penalties are possible, action plans implement practical and measurable improvements to matchday operations that can come at a significant financial cost to offending clubs. Any subsequent offences will be treated with the utmost seriousness. Partial or full stadium closures and financial penalties will always be considered but Regulatory Commissions can impose any sanctions they deem appropriate in such circumstances.

The FA continues to support any player who wishes to take a stand against discriminatory behaviour in a respectful manner and we will always condemn the behaviours of anyone who chooses to actively oppose these values. We continue to work with the appropriate bodies to ensure that supporters are dealt with if they are deemed to behave in an actively discriminatory manner.

## **OFF-FIELD MATTERS**

#### MEDIA COMMENTS AND SOCIAL MEDIA ACTIVITY

The FA's Rules and Regulations are designed to strike a balance between allowing freedom of speech for 'participants' while protecting the integrity and reputation of the game. However, The FA may bring charges if any comments in the media or on social media are deemed to breach FA Rule E3.1.

FA Rule E3.1 states: 'A participant shall at all times act in the best interests of the game and not act in any manner which is improper or brings the game into disrepute or use any one, or a combination of violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour'.

A typical breach involves comments made either pre or post-match in the media or on social media that relate specifically to a match official who has been appointed for a particular fixture.

Any pre-match comments in the media or on social media in relation to an appointed match official, whether they are identified by name or implication, are treated as a breach of FA Rule E3.1.

Post-match comments in the media or on social media are permitted if they solely criticise a match official's performance or competence. However, if the comments imply bias, attack their integrity, are personally offensive, prolonged, or particularly unreasonable it could lead to The FA issuing a charge or formal warning; reminding them of their responsibilities or taking no further action depending on the seriousness of the incident or track record of the 'participant'.



#### **PROCESS:**

- The FA may charge or contact the 'participant' to seek their written observations within three business days of being made aware of the comments in the media or on social media;
- The 'participant' will have three business days to provide any observations if requested;
- The FA will then have three further business days to decide whether to issue a charge, a formal warning, remind them of their responsibilities or take no further action;
- The 'participant' has three further business days to reply if a charge is issued;
- A Regulatory Commission hearing takes place within 10 business days of the reply by the 'participant';
- The Regulatory Commission decides an appropriate sanction if required as there are no set sanctions for FA Rule E3.1 breaches in relation to media comments or social media activity.

N.B. Any cases involving discriminatory language or postings are not subject to the above timelines, and any posting that remains on the social media account of a 'participant' which is in breach of The FA's Rules can be subject to disciplinary action irrespective of when it was made. The FA educates 'participants' on the need to make sure that they are compliant with its rules at all times.

#### INTEGRITY

The FA is committed to ensuring that the integrity of football is maintained in partnership with the whole game and stakeholders from other industries.

'Participants' are supported to understand and follow the Rules and Regulations by its dedicated Integrity team which is also tasked with undertaking investigations into any alleged breaches and provides evidence if there is a case to answer.

Education is a key focus of the team's overall approach and regular club visits, educational films, literature and a 'player essentials' app are provided alongside materials from the PFA, leagues and partners in relation to betting, inside information, match-fixing, anti-doping and media activities.

'Participants' who are approached to bet, accept a bribe, share inside information, influence an event, fix the outcome of a game or competition, aware of possible breaches of the World Anti-Doping Agency [WADA] Code or The FA's Anti-Doping Regulations are obliged to report it to The FA.

Dedicated and anonymous reporting lines are available on **0208 795 9640** on Integrity@TheFA.com



#### BETTING

'Participants' involved with clubs in the Premier League, EFL, Barclays WSL, Women's Championship and National League System are prohibited from betting on any football related activity by The FA's Rules and Regulations.

The simple and straightforward message is that 'all bets are off' for them, and this includes gambling on matches, match events, competitions, manager markets, players transfers and novelties. In 2017, The FA reinforced this message by ending its commercial betting partnerships.

Its Integrity team works closely with statutory bodies and law enforcement agencies, and shares data with betting operators to ensure a bespoke intelligence handling system. In addition, The FA ensures all markets on English football are monitored to identify any suspicious activities.

Investigations into any unusual betting patterns are also supported by partnerships with the Gambling Commission's Sports Betting Integrity Unit and UK betting operators, as well as having representation on the national Sports Betting Group and the Sports Betting Integrity Forum.

#### **INSIDE INFORMATION**

Any 'participant' having knowledge about a club matter due to their position in the game, which is not publicly available, is defined as inside information. Examples can include a team selection for a specific fixture or a fellow player's transfer status.

'Participants' involved with clubs in the Premier League, EFL, Barclays WSL, Women's Championship and National League System are prohibited from passing inside information for the purpose of either betting or instructing someone else to bet on their behalf.

Even if 'participants' are unaware that inside information may be used to place a bet it is still treated as a serious breach of The FA's Rules and Regulations.



#### **MATCH-FIXING**

All 'participants' are prohibited from seeking to influence the result, progress, conduct or any other incident in a match or competition for an improper purpose. This is to prevent any attempt to fix not just a result but spot-fixing of any incidents that can occur in or around a fixture or competition.

Any 'participant' who is approached to get involved in match or spot-fixing but then doesn't report it could also be in serious breach of The FA's Rules and Regulations.

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#### **ANTI-DOPING**

While the use of performance-enhancing or recreational drugs in English football is rare, The FA takes antidoping extremely seriously, and is fully compliant with the National Anti-Doping Policy published by the UK Government's Department for Digital, Culture, Media & Sport in April 2021.

'Participants' are strictly liable for any breaches of the WADA Code, and The FA's Anti-Doping Regulations, so they are made aware of their responsibilities. The FA also funds one of sport's most comprehensive antidoping programmes and inputs into testing directed by UK Anti-Doping [UKAD].

The anti-doping programme is world-leading, but it is constantly reviewed and improvements are made where possible. Key features include:

#### **TESTING**

Targeted, researched and intelligence-led drug testing is undertaken across the England men's, women's and development teams, as well as clubs in the Premier League, EFL, Barclays WSL and Women's Championship.

'In-competition' drug testing is carried out on a matchday immediately after a game and 'out-ofcompetition' drug testing is carried out on a non-matchday. Examples of 'out-of-competition' drug testing can include at a club's training ground or at a player's home address.

A player can be tested anywhere and at any time on a 'no advance notice' basis, regardless of whether they have or haven't been absent from training that day, and they can be subject to blood and urine drug testing, including an Athlete Biological Passport programme.

While some banned substances on WADA's Prohibited List might not be detectable in blood, most are detectable in urine. The FA works closely with UKAD to ensure the drug testing programme is effective as possible and the split between blood and urine tests is reviewed each year. UKAD employs a flexible approach to decide testing at each event depending upon any doping risk.



#### WHEREABOUTS

If a player is not going to be at training, is leaving early, or arriving late, they must notify The FA in advance and provide a one-hour time slot for that day when they will be available at their home address to be tested. Any player that fails to adhere to these requirements may incur a missed test 'strike' and three 'strikes' within a 12-month rolling period would trigger a suspension from football for at least 12 months.

Clubs must also inform The FA of their training schedules, any changes to their timings or the location/s that players are attending, and a list of addresses where each player regularly resides. Clubs that fail to adhere to these requirements on three occasions within a 12-month rolling period will be charged under The FA's Anti-Doping Regulations.

#### ADVERSE ANALYTICAL FINDINGS

An 'adverse analytical finding' in a player's sample, which is otherwise known as a positive test, does not automatically lead to an 'anti-doping rule violation' and a suspension.

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#### SUSPENSIONS

- If one or more of the below anti-doping rule violations [ADRVs] is committed by a 'participant' it can lead to a suspension from the game:
  - **Presence** the presence of a prohibited substance or its metabolites or markers in a player's sample;
  - **Use** use or attempted use by an athlete of a prohibited substance or a prohibited method;
  - **Evasion, Refusal or Failure** evading, refusing, or failing to submit to sample collection;
  - **Tampering or Attempted Tampering** tampering or attempted tampering with any part of doping control. This includes engaging in fraudulent conduct [e.g. submitting falsified documents to an anti-doping organisation or asking a witness to lie in their witness statement:
  - **Possession** possession of a prohibited substance or method;
  - **Trafficking** trafficking or attempted trafficking of any prohibited substance or method;
  - Administering or Attempted Administration administration or attempted administration to any player of any prohibited substance or method;
  - **Complicity or Attempted Complicity** complicity in helping someone to commit an ADRV or avoid detection:
  - **Prohibited Association** associating in a professional or sport-related capacity with a person such as a coach, doctor, physio or trainer who is serving a ban or who has been found guilty of a criminal or disciplinary offence equivalent to a doping violation;
  - Acts to Discourage or Retaliate Against Reporting to Authorities acts that threaten or seek to intimidate another to discourage them from sharing information about doping [also referred to as whistleblowing] or retaliating against another for doing so;
  - Whereabouts failure to notify The FA in advance that they are not going to be at training, are leaving early, arriving late or failure to provide a one-hour time slot for that day when they will be available at their home address to be tested.



#### SUBSTANCES OF ABUSE

The 2021 WADA Code introduced 'substances of abuse' as 'those prohibited substances which are specifically identified on the Prohibited List because they are frequently abused in society outside of the context of sport'.

Cocaine, heroin, ecstasy and cannabis are designated as 'substances of abuse' under the Anti-Doping Regulations, and if an athlete can demonstrate that their use was out-of-competition and unrelated to sport performance following an 'adverse analytical finding' in-competition, any suspension will be just three months and may also be reduced to one if they complete a treatment programme.

#### **PUBLICATION**

The FA does not discuss or disclose the details of its testing programmes, or specific 'adverse analytical findings', and will only publish the outcomes relating to specific cases once any appeals have been exhausted and a suspension is in place.

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#### **SOCIAL DRUGS**

To safeguard the physical and mental wellbeing of footballers, uphold the ethics of the sport and protect the image of the game, The FA also operates its own dedicated social drugs programme.

The FA's Social Drugs Regulations are in place voluntary and separately from the WADA Code, with recreational drugs prohibited at all times within football.

The FA's social drugs programme was introduced from the 2021/22 season, is run independently from its anti-doping programme, and has a renewed focus on education and rehabilitation. Key features include:

#### **TESTING**

- Hair testing is the primary method of sample collection and this leads to both a faster collection process and increased detection window;
- Urine testing can be collected on occasion as a secondary method of sample collection;
- Testing numbers are spread more evenly across the professional leagues.



- For a first offence, a player would receive a warning, fine and have to undergo a mandatory course of education and/or counselling/treatment;
- For a second or subsequent offence, a player would receive a three-month suspension that can be reduced to one month if the player agrees to complete a course of education and/or counselling/treatment, mirroring the WADA Code's 'substances of abuse' provision;
- For refusing to be tested, or evading sample collection, a suspension in the range of four to 12 months would be imposed.

## INTERMEDIARIES

If an individual or company wishes to carry out 'intermediary' activity on behalf of a player or club in England they must be registered by The FA, complete a 'test of good character and reputation', and pay a registration fee.

FIFA has announced a number of proposed reforms in relation to 'intermediaries', which aim to 'improve transparency, protect player welfare, enhance contractual stability and also raise professional and ethical standards', and they are being developed into formal regulations.

The FA's Regulations on Working with Intermediaries [The Regulations] already go beyond the minimum criteria set within FIFA's current Regulations on Working with Intermediaries. For example, there are additional provisions for anyone that wishes to represent minors [under 18s] that include:

They must provide an authorised DBS Check;

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• They are not permitted to make any approach to, or enter into any agreement with, a player before the 1 January in the year of their sixteenth birthday.

The FA also operates a 'clearing house' system, which mandates that every payment made by a club to an 'intermediary' or an overseas club in relation to a player transfer is made via The FA, and is the only National Association in the world to currently do so.



## **GOVERNING BODY ENDORSEMENTS**

Players and non-playing staff who require the right to work in England must obtain a Governing Body Endorsement [GBE] from The FA to be able to participate in English football.

The FA, Premier League, EFL, Barclays WSL and Women's Championship proposed GBE systems for men's and women's football to the UK Government in 2021, which were subsequently approved by the Home Office, and a number of entry requirements were agreed.

Players without the right to work freely in England are therefore required to meet a specific number of points across the following areas to obtain a GBE automatically:

- Number of international appearances;
- Number of domestic minutes played;
- Number of continental minutes played;
- Final league position of their last club;
- Continental progression of their last club;
- League quality of their last club.



For non-playing staff there are specific experience and qualification requirements that must be met in order to achieve a GBE automatically.

Should an individual not meet the automatic requirements set out in the players or non-playing staff Criteria, there is the potential for a club to request an Exceptions Panel for an independent decision at its discretion.

The full men's and women's criteria, which include points required for players and non-playing staff who require the right to work in England during the 2022/23 season, are available below:

www.thefa.com/football-rules-governance/policies/player-registration/points-based-system

## **REGULATORY COMMISSIONS**

If a misconduct charge leads to a Regulatory Commission, The FA's Regulatory Legal department will act as prosecutors at a hearing against the 'participant' in question.

The appointment of a Regulatory Commission to hear a case is the responsibility of the Judicial Panel Chair [or nominee] via The FA's Judicial Services department.

A Regulatory Commission consists of three Judicial Panel members selected from five distinct pools [with at least one member always being from the Football Panel]:

- The Chairs Panel consisting of suitable personnel from the Council Panel and the Football Panel;
- The Council Panel consisting of members on The FA Council with appropriate experience;
- The Football Panel consisting of former players, managers or other independent football people with appropriate experience in the sport that can provide expert opinion;
- The Legal Panel consisting of independent barristers and solicitors with expertise in sport and/or regulatory matters [all of whom may also sit as a Chairperson];
- The Specialist Panel generally reserved for complex or unusual cases but consisting of independent barristers or solicitors with seven or more years' standing [all of whom may also sit as a Chairperson].

Judicial Panel members undergo continual training and education, and anyone with a conflict of interest in a particular case will not be selected. The Judicial Panel Members will assess all the evidence in a case and decide a relevant sanction where necessary.



#### WHAT DOES THE 'STANDARD OF PROOF' MEAN?

The 'standard of proof' is the civil standard. It means that cases will only be proven if the Regulatory Commission in question is satisfied the event in question occurred on the 'balance of probabilities'. This civil standard of proof is widely used in civil and regulatory forums, including the civil courts, family courts and professional regulatory bodies. Other National Governing Bodies of sport across the industry also utilise it, and it's the most appropriate standard for the tribunal-based forum that The FA's cases are determined in.

#### WHAT ARE 'WRITTEN REASONS' AND WHEN ARE THEY PUBLISHED?

'Written reasons' are a detailed record of how a Regulatory Commission reached a decision. They are generally produced by the Chair and agreed with relevant 'wing members'. Subject to the facts of the particular case, it is normal practice for them to be published, via: <a href="www.TheFA.com">www.TheFA.com</a>

### **SAFEGUARDING**

Football takes the safety and welfare of children and adults at risk extremely seriously. For many years, English football's leadership authorities have worked collaboratively on safeguarding. The shared and unequivocal goal has always been to ensure the game is safe, fun and inclusive for all.

The FA's safeguarding strategy, Building an Ever-Safer Culture, outlines the ongoing work to drive safeguarding culture and practice across the game to support every child, young person and adult at risk to have a safe, inclusive and fun experience when playing or participating in the world's most popular team game.

The FA, alongside the Premier League, EFL, PFA, LMA, PGMOL, County FAs, leagues and clubs, work to:

- Implement preventative safeguarding measures and create fun, safe, welcoming football environments via policies, standards, vetting, raising awareness, guidance and educating at all levels;
- Make the reporting of concerns as easy as possible, ensure concerns are investigated at the appropriate level, and where thresholds are met, escalated to The FA and dealt with swiftly and thoroughly in conjunction with statutory agencies.

The FA employs a significant number of full-time safeguarding professionals to do this. Some of this team drive preventative measures via policy, procedures, standards, vetting, education and sharing guidance on safer working practice. They also:

- Support the national network of those in designated safeguarding roles that work across the grassroots game and work with the Premier League and EFL who support their respective DSOs;
- Oversee safeguarding at The FA's venues and events and across our England teams and talent pathways;
- Support safeguarding work in the National League System, Barclays WSL, Women's Championship and The FA Women's National League.

Another part of The FA's Safeguarding team manages referrals and reported concerns. It comprises safeguarding professionals with significant experience in social work, policing, the probation service and legal and child protection in sport. They also work with statutory agencies and the relevant club or County FA in relation to investigations where appropriate. They assess people who pose, or may pose, a risk of harm to children and/or adults at risk, and put safeguards in place, including any suspensions from football and making referrals to the Disclosure and Barring Service [DBS] where necessary.

All County FA DSOs are DBS-checked, trained and their role includes taking preventative safeguarding measures, promoting safer working practice and helping their organisation to maintain standards, as well as making referrals to the appropriate authorities.



The Premier League and EFL, as well as their respective charitable arms, undertake vital roles in setting and supporting their clubs and club community organisations to meet the safeguarding standards. They also oversee and guide club safeguarding provisions. The 92 professional clubs and 52 County FAs are independently assessed against the respective safeguarding standards.

The FA's proactive activities include working directly with victims, survivors and those with 'lived experience', via a Survivor Support and Safeguarding Advisory Group that offers essential learnings to this often complex landscape. The FA also supports access to counselling via Sporting Chance and provides practical assistance via its Benevolent Fund.

#### WHY DOESN'T THE FA COMMENT PUBLICLY ON SAFEGUARDING CASES?

The FA does not ordinarily comment publicly about individual safeguarding cases. The reasons for this and a brief explanation of its safeguarding process are as follows: The FA has the power to investigate safeguarding concerns. Following a risk assessment process, The FA may refer a case to an independent Safeguarding Review Panel, which is composed of independent safeguarding experts, for them to consider the matter. The function of the Safeguarding Review Panel is to assess risk and determine whether the risk assessment process has shown that the individual may present a risk of harm to children or adults at risk in football. Safeguarding measures, which can include suspensions from varying levels of football, will be imposed on an individual where necessary to prevent potential future risk of harm. It is important to note that safeguarding measures may be amended and can change in response to changing levels of risk. This means that safeguarding cases are treated differently from disciplinary cases that result in the final determination of a matter. For example, if a suspension is initially imposed in a safeguarding case due to a failure to provide information, that suspension may be lifted once the information is received.

Safeguarding measures can be imposed for a wide range of reasons and publication of details can have serious consequences. This includes re-traumatising victims and/or causing them to re-live harmful abusive experiences. In addition, vigilantism can have harmful effects on innocent people connected to those involved in safeguarding cases. It is important to remember that a safeguarding suspension doesn't always mean sexual or serious abuse has taken place, but the public stigma is such that people often immediately link the two things.

The FA's safeguarding strategy, Building an Ever-Safer Culture, can be accessed below: www.thefa.com/-/media/www-thefa-com/files/the-fa-safeguarding-strategy-2021-22-to-2023-24

## **COUNTY FOOTBALL ASSOCIATIONS**

The County Football Association [FA] network consists of individual devolved organisations across England that are detailed below:

- Amateur Football Alliance
- Army FA
- Bedfordshire FA
- Berks & Bucks FA
- Birmingham FA
- Cambridgeshire FA
- Cheshire FA
- Cornwall FA
- Cumberland FA
- Derbyshire FA
- Devon FA
- Dorset FA
- Durham FA
- East Riding FA
- Essex FA
- Gloucestershire FA
- Guernsey FA

- Hampshire FA
- Herefordshire FA
- Hertfordshire FA
- Huntingdonshire FA
- Isle of Man FA
- Jersey FA
- Kent FA
- Lancashire FA
- Leicestershire & Rutland FA
- Lincolnshire FA
- Liverpool FA
- London FA
- Manchester FA
- Middlesex FA
- Norfolk FA
- Northamptonshire FA
- North Riding FA

- Northumberland FA
- Nottinghamshire FA
- Oxfordshire FA
- RAF FA
- Royal Navy FA
- Sheffield & Hallamshire FA
- Shropshire FA
- Somerset FA
- Staffordshire FA
- Suffolk FA
- Surrey FA
- Sussex FA
- Westmorland FA
- West Riding FA
- Wiltshire FA
- Worcestershire FA



Each County FA is responsible for local football delivery in its respective area and this can include promoting participation; ensuring accessible opportunities across all formats; growing diversity and inclusion; ensuring equal opportunities to play, and a fun and safe environment for all. County FAs, like The FA, are not-for-profit and all money generated is reinvested back into football.

County FAs are responsible for implementing The FA's Rules and Regulations within their local area, including administering yellow and red cards; investigating, charging, and appointing a disciplinary panel to hear misconduct cases. They are also responsible for recruiting disciplinary commission members who possess the correct attributes to maintain the integrity and perception of the disciplinary process.

In 2020, having identified the diversity of County FA boards as an area requiring focus, The FA became the first national governing body in English sport to introduce a Regional Code of Governance. Tier 3 of Sport England's Code of Governance is the current gold standard for National Governing Bodies across England but the Regional Code of Governance both builds upon it and sets a higher precedent. It lays out several diversity and inclusion requirements, including gender and ethnic diversity of County FA boards, to ensure those leading and working at these organisations better reflect the communities they serve.

The respective County FA contact details can be found below:

www.englandfootball.com/explore/county-football-associations



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W: TheFA.com