

Assessing incumbent Owners, Directors and Senior Executives

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Stages of assessment

Formal assessment

If the Independent Football Regulator has grounds for concerns over the suitability of an owner, director or senior executive of a regulated club and intends to carry out a formal assessment of that person's suitability, it will write to the club and the individual to confirm this.

This does not imply wrongdoing on the part of the individual or club, but that the IFR is in receipt of information that it believes warrants further investigation.

The information would be regarding an individual's:

- a. honesty and integrity
- b. financial soundness, or
- c. (for Directors and Senior Executives) requisite competence

The IFR is also able to investigate if it has grounds to suspect that the individual's wealth is connected with serious criminal conduct. The IFR is able to request information from the named individual, current and any previous clubs, and other people and agencies as relevant.

The IFR will not routinely announce that it has started a formal suitability assessment of an owner, director or senior executive unless there are deemed to be exceptional circumstances that make it desirable to do so (detailed below).

Provisional decision

Following the assessment, if the IFR considers the individual to be unsuitable, it will notify the club and named individual with a provisional decision, setting out the reasons for that provisional view.

The individual and the club can then make representations on the matter, including providing further evidence for the IFR to take into consideration.

The IFR will not comment on the provisional decision publicly unless in exceptional circumstances.

Final decision

The IFR will notify the club and named individual of its final decision.

As set out in the Football Governance Act 2025, the IFR will then publish the outcome of its investigation on its website. If the IFR finds the person to be suitable, they may continue their role as before.

If the IFR finds the person unsuitable, it must give them (or where relevant the club) directions instructing them to take the necessary steps to sell the club or give up their Director or Senior executive role.

The IFR has various associated powers it can use, including the ability to prevent the individual from carrying out certain activities or exercising certain rights in the interim.

Right of appeal

If the individual, the club [or another person directly affected by the IFR's final decision] wants to challenge that decision they then have two routes:

1. **Internal review** – they can request that the decision is reviewed by an IFR panel who were not involved in the original decision (known as an Internal Review). For the unsuitability finding, the panel will be a committee of the IFR's Board established and appointed by the IFR's Chair. If they are still dissatisfied, they can appeal to the Competition Appeal Tribunal (CAT).
2. **Competition Appeal Tribunal** - they can bypass the internal review stage and appeal directly to the CAT.

Enforcement

If the individual or club fails to comply with any orders or directions the IFR issues in relation to its unsuitability finding, it may take enforcement action, which may result in various potential sanctions, including fines.

During an assessment of an existing owner, director or senior executive, the IFR may, in exceptional circumstances, make a public announcement on the matter, for example:

- a. if the individual or club has confirmed the circumstances publicly
- b. to help the assessment process itself, for example in drawing out additional evidence
- c. to mitigate false speculation or rumour
- d. if by not doing so it undermines the confidence in the IFR or impedes the ability of the IFR to carry out its regulatory functions