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Annual Report

OF THE

*Independent Football Ombudsman
2008-09*

2008-09

THE INDEPENDENT
FOOTBALL OMBUDSMAN



FOREWORD

I present my first Annual Report to the Secretary of State for Culture Media and Sport and to the three Football Authorities, The Football Association, The Premier League and The Football League. The report is being made available to the wider public through the circulation to football stakeholders. It is also available for downloading from the IFO website:

www.theifo.co.uk

The transition from the Independent Football Commission (IFC) to the IFO was facilitated by the assistance given by officers of the three governing bodies, who gave valuable support and advice in establishing the new Ombudsman service. I am grateful to the authorities for that support and thank them for the ongoing cooperation during the first year of operations.

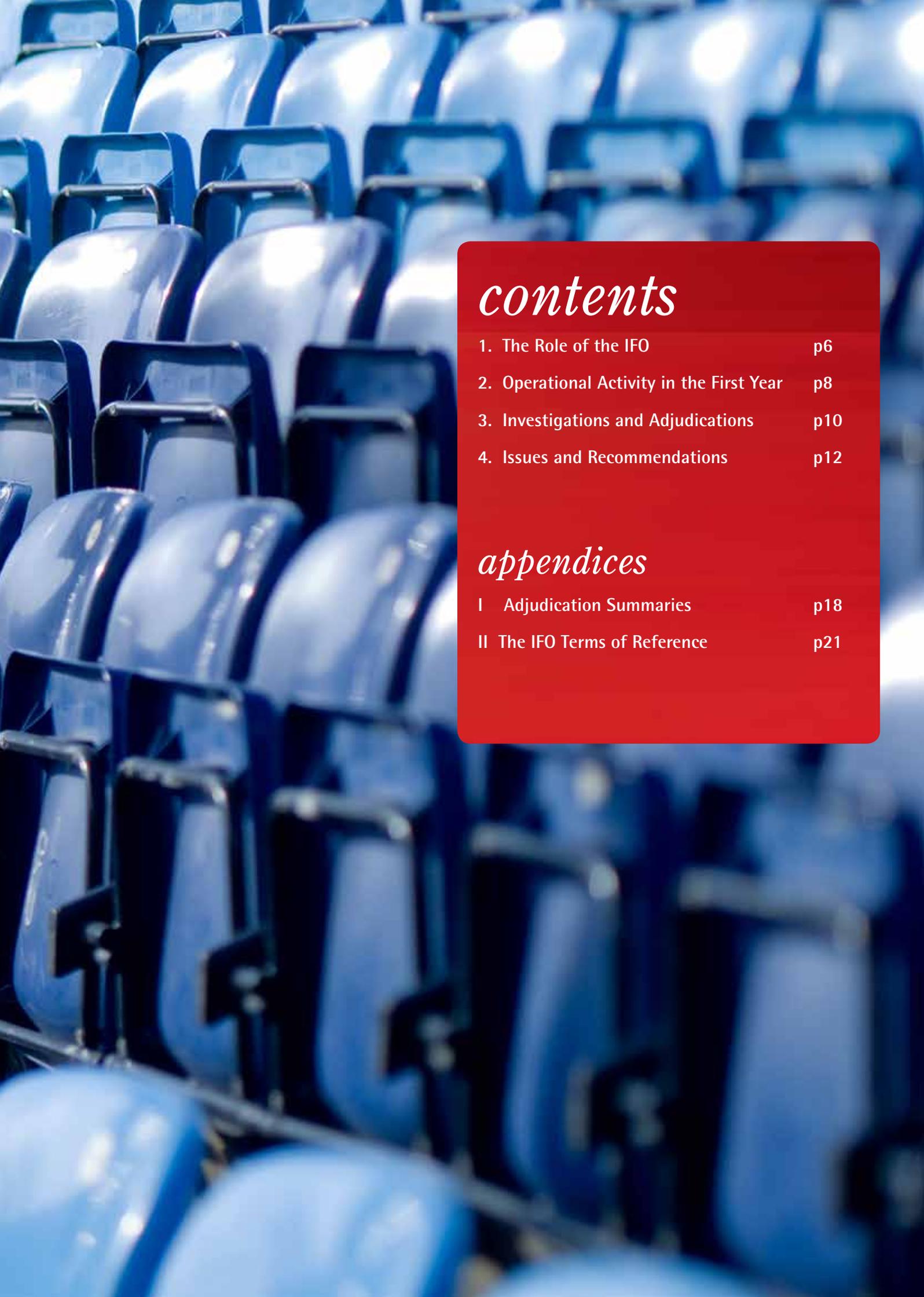
I have been ably assisted by my colleague, Alan Watson Deputy Ombudsman, and I thank him most warmly for his extensive contribution to the work of the IFO. We have also been assisted by the Advisory Panel who have given valuable advice on individual issues.



PROFESSOR DEREK FRASER
OMBUDSMAN

AUGUST 2009





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The Independent Football Ombudsman (IFO) has been established by the English Football Authorities (the Football Association, the Premier League and The Football League) with the agreement of Government. The IFO has a clear remit to receive and adjudicate on complaints which have not been resolved at an earlier stage and acts as the final stage in football's complaints procedure. The IFO is the successor body to the Independent Football Commission (IFC), which operated from 2002 to 2008 as an integral part of football's self-regulatory system. The IFO Terms of Reference are provided in Appendix II. The Football Ombudsman Service is funded by an annual grant from the three Football Authorities.

The vast majority of complaints are resolved at an early stage, but those dissatisfied with the outcome of a complaint can refer it to the relevant governing body. This, for example, would be the Premier League if the complaint arose from a service provided by a Premier League club. It is only when the complaint has been considered by the governing body that it can be referred to the IFO. For many complaints there will be a 3 stage process (club, governing body, IFO), though where a complaint relates to a governing body itself (eg the FA for an England game), there would be 2 stages (governing body, IFO).



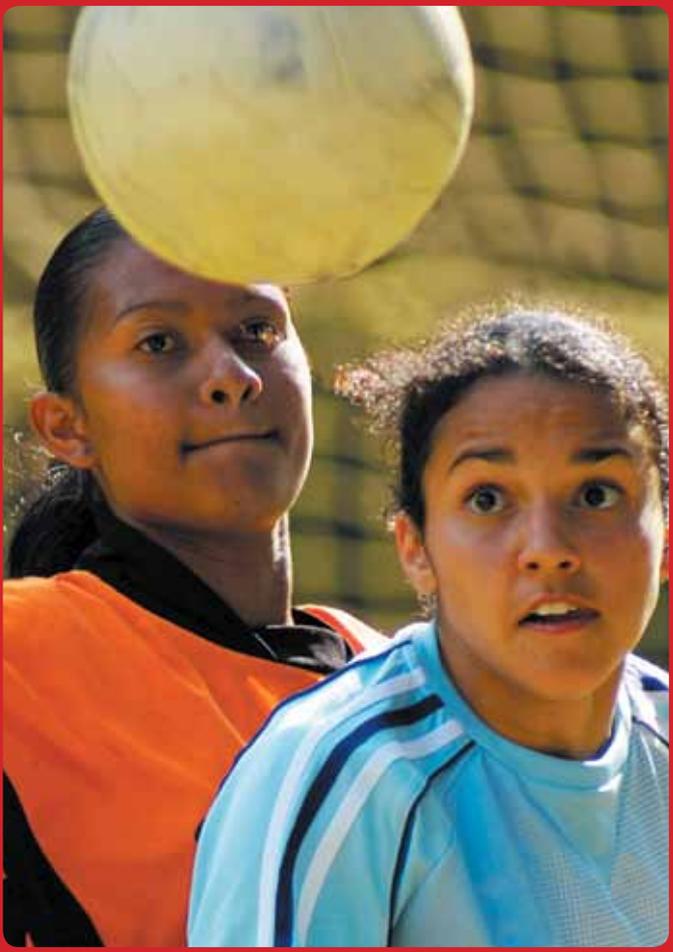
Those wishing to contact the IFO may use any of the contact addresses listed on the back cover of this report. Where individuals contact the IFO as the initial recipient of a complaint, they are informed that the IFO can adjudicate formally only on those complaints which have already been dealt with by a governing body. They are then advised to refer their complaint to a club or governing body, as appropriate.

The Ombudsman Service has been given some other responsibilities. The IFO can suggest subjects for research and enquiry; it will be consulted on regulation changes; and it may identify wider policy issues arising from complaints it has adjudicated. In announcing the creation of the IFO, the Football Authorities confirmed that they were 'committed to the highest standards of self-regulation' and that 'the creation of an Ombudsman would maintain a position as the independent and final arbiter of football complaints.'

The IFO operates a form of non-binding arbitration, though the Football Authorities have stated that they would normally expect to implement the Ombudsman's adjudications. Where they felt unable to uphold an IFO decision, they are committed to publishing their reasons. All IFO Adjudications are published in full on the IFO website:

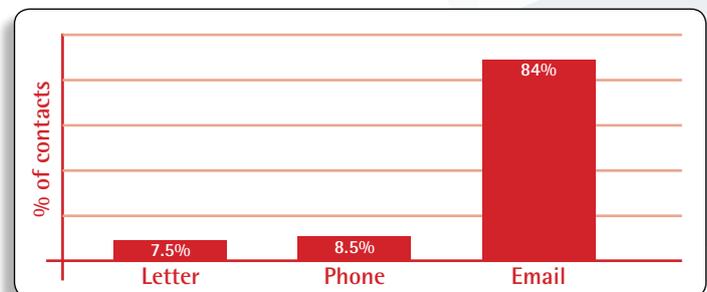
(www.theifo.co.uk).

It was agreed that they would also be published on the website of the relevant governing body.



The Independent Football Ombudsman operation began in August 2008 and was fully up and running from the following month. The three Football Authorities had issued a joint press release announcing the establishment of the IFO and from the beginning of the 2008-09 season customer services departments were advising complainants of their right to revert to the IFO. There appeared to be widespread awareness of the IFO's existence and, for example, there were over 30 messages to the IFO in the first full month of operation. With the assistance of the Football Association, the IFO quickly established its email, website and telephone arrangements, having previously identified the IFO office address.

In the initial phase about a third of contacts were made by letter. However, as the web and email arrangements became better known, the vast majority of supporters who wished to make the IFO aware of their concerns did so by email. In the year as a whole there were over 300 contacts made to the IFO, which received and issued over 400 emails. The proportion of contacts made through each route was:



Many used the IFO as a means of giving voice to concerns about the state of the game, whether or not the issue fell within the IFO remit. Much comment was offered about on-field matters, such as player behaviour, the decline of sportsmanship,

inconsistent and allegedly poor refereeing, disciplinary issues and the response (or lack of) of the authorities to high profile match incidents. Some 16% of those who contacted the IFO raised on field issues, of which the largest single topic was the violent conduct of players. Within that, the match which attracted the largest response was that between Barnsley and Sheffield United in which a Barnsley player suffered a horrendous head injury. Many were perplexed by what they viewed as the inadequate response of the FA. In this context, it was helpful for the Ombudsman and Deputy to be given a personal briefing on how the FA handles disciplinary issues, including the fast track appeal system and the use of video evidence. Where, as in such complaints, the role of the IFO is simply to advise the complainant of where to send the complaint, it was helpful to be able offer a short explanation of how the procedures work, for example by outlining the circumstances in which the FA can review on-field decisions. Similar briefings were held on customer services, equality and diversity, regulation and child protection. A large number of contacts raised issues which initially fell within the remit of County Football Associations. Matters identified included exclusions of individuals on protection grounds, shortcomings in disciplinary processes, children's and women's football at local level, violent behaviour by players, and sometimes parents, and allegations of improper actions, often against individuals, by local teams and leagues.

Again about 16% of messages to the IFO concerned what may be deemed 'grassroots football'. In such cases the IFO has no remit to judge the merits of the original incident. However, it has been agreed (and complainants are so advised) that the IFO might become involved, where an issue has been referred to the Football Association and there were concerns about how the FA had handled the complaint. In such a case the role of the IFO would be to investigate the procedures and processes of the complaint handling by the FA, not the substantive issue which gave rise to the complaint itself. The two thirds of messages which fell more squarely within the IFO's terms of reference raised a diverse range of issues. These included:



- TV coverage of football, particularly England games.
- Fixture changes and the consequent costs incurred.
- 'Excessive' ticket prices, especially for away fans.
- Crowd behaviour and the throwing of missiles.
- Access arrangements for disabled fans and their carers.
- Stewarding procedures and practice.
- The allocation of FA Cup Final tickets.
- The finances of football and the transfer window.

All of the above attracted multiple comments and, of these more popular issues, the two which produced the largest number of responses were TV coverage of football and the allocation of tickets for the FA Cup Final. In each case 18 individuals contacted the IFO, just over 5% each of all messages received. Among more esoteric topics raised by individuals were moving adverts at pitchside, the wearing of jewellery and badges by players, the sale of lower league club shirts, the erosion of Wembley Cup Final traditions and a British Olympic football team.



All messages received by the Ombudsman service attracted a prompt reply. Many required advice on how to take the complaint further and that was the end of the contact. Others required more extensive attention. In these cases, before embarking on a formal adjudication the Ombudsman needed to satisfy himself that the matter lay within his remit, that the procedural options had been exhausted and that the complaint merited a full adjudication.

In a number of cases, the first two criteria were satisfied but not the third. In these complaints the IFO conducted an investigation, which sometimes involved a meeting with the governing body, and on the basis of that decided that the matter could be concluded by an extensive reply to the complainant. This might be because the governing body had dealt with the case properly, though the complainant did not like the outcome, or because the club had operated within the rules and regulations or, in one case, where there was not really substance in the complaint since an apology had been issued which should have closed the matter. Complaints which were dealt with in this manner included

- An FA ban on a coach on child protection grounds.
- The 15 point penalty on Leeds United.
- The service for blind supporters at Fulham.
- A penalty points deduction for Dulwich Hamlet.
- The ending of an academy contract at Tranmere Rovers.
- Disputes between a parent and Cambridgeshire County FA.
- Insensitive treatment of a partially blind supporter.

Sometimes the reference to the IFO and an initial approach by the IFO quickly led to a resolution of the complaint by the club concerned. Two examples here were the proportionate refund to a Football League season ticket holder wrongly deprived of his ticket and the offer of a free carer's ticket to a disabled Premier League supporter.



In five other cases the Ombudsman decided that a full adjudication was justified and these complaints have been fully investigated and a formal adjudication has been issued.

The five complaints were:

- **08/001 The treatment of Luton Town by the Football Association, which resulted in a 10 point penalty.**
- **08/003 Nottingham Forest's ticketing policy for disabled fans and their carers.**
- **08/004 The treatment of Luton Town by the Football League, which resulted in a further 20 point penalty.**
- **09/01 The price of away tickets at some Premier League clubs.**
- **09/02 Stewarding and ejections from the Charlton Athletic v Crystal Palace game in January 2009.**

In each case the full adjudication has been published on the IFO website, www.theifo.co.uk and a summary is provided at Appendix I. Although the IFO declined to uphold any of the complaints, he sympathised with the complainant in each case and in the light of the investigations the IFO has raised a number of issues for the authorities to address.



The IFO is invited to draw the attention of the Football Authorities 'where wider action is appropriate' and the investigations and adjudications have indeed thrown up a number of issues which would merit attention by the governing bodies. The first of these relates to the matter of communication with the wider footballing public, sometimes referred to as the Football Family. The IFO wishes to report that the authorities have cooperated fully with the investigations and that this has sometimes involved making available confidential evidence, particularly from the workings of Commissions.

The IFO has respected that confidentiality and has quoted from such evidence only with permission. In three of the formal adjudications, there were reports of decision making bodies which were released only in summary form to the wider public. For example, the FA proceedings relating to Luton Town's severe breach of regulations or the report of the Premier League Commission on Birmingham City's breach of the equal treatment rules for away fans, or again the decision of the Football League Board to deduct Luton Town 20 points, in each case the outcome was reported but not the full details of the deliberations. In these complaints, the complainants expressed concerns about not knowing the reasoning behind the decisions arrived at and, in varying degrees, this led to rumour and in some cases misinformation. The IFO fully appreciates that issues of confidentiality may have to take precedence over transparency. This might be to protect the anonymity of witnesses, to safeguard further investigations or in the interests of collective responsibility. Nevertheless, the IFO wishes to encourage the Authorities to be as transparent as possible when announcing what are sure to be controversial regulatory decisions. The IFO welcomes the growing practice for the Chairs of Commissions to be willing explain the outcomes of enquiries more fully than previously.

It became clear during the enquiry into the Nottingham Forest ticketing policy that there was variable practice for disabled fans and their carers. The investigation coincided with an FA seminar on the implementation of the Disability Discrimination Act (DDA), which also identified continued variability, notwithstanding the issue of previous guidance from the governing bodies. The IFO received other communications on this topic during the year. For example, there were four separate representations made to the IFO that one Premier League club was in breach of the DDA by the way it distributed tickets for disabled supporters who needed wheelchair access. In each case the parties were advised to contact the club and the matter was not raised with the IFO further. It is not clear whether the use of the Department for Work and Pensions categorisation of the level of disability is consistent with the DDA when used by clubs to decide their disabled ticketing policy. It is to be hoped that the Authorities will acquire definitive legal advice on this complex matter.

In the light of adjudication 08/002, the IFO recommends that the three Authorities take appropriate steps to introduce uniform policies in order, as far as possible, to ensure that there is no possibility of discrimination under the DDA, and to eliminate the variances and anomalies which currently exist. This recommendation was made to the governing bodies in April 2009 and at the time of writing has not been fully implemented as far as the IFO is aware.





Early in the season the IFO was contacted about crowd handling at Stockport County and Adjudication 09/02 involved stewarding at a London local derby. What the FA Assessor commended as 'robust stewarding' led to some 50 away supporters being ejected. Similarly, the IFO received a number of complaints from Everton supporters, some of whom never got admitted to the FA Cup Final and from others ejected during the game. In both examples the stewards were under instructions to implement a zero tolerance policy. In the Charlton case people were ejected mainly for refusing to be searched or for making adverse comments about the searching and the delays in gaining entry. In the Wembley case, most of the Everton supporters who were ejected had tickets in or near the Chelsea section. This appears to have been the result of a



local County FA allocating Chelsea-identified tickets to Everton supporters, because the county had accepted a 50-50 allocation, where local loyalty suggested they should have requested an allocation strongly weighted to Everton. The IFO has sympathy for both sets of supporters who to a large extent

were the victims of a severe stewarding policy. The IFO is aware that the criticism normally levied about stewarding is that it is not sufficiently rigorous, for example in preventing standing in seated areas. It would, therefore, be churlish and inappropriate to condemn stewards who were, as instructed, rigorous in applying the agreed policy. Nevertheless, 'robust stewarding' can be allied to common sense and good humour, as practice in both cricket and rugby league illustrate.

In order to avoid some of the 'nasty surprises' which Crystal Palace and Everton fans experienced this year, the IFO recommends that the Authorities instruct clubs and host grounds to warn fans, particularly away fans, of the security measures that are to be in place (such as 100% rather than selective searching). This recommendation is to include FA Cup Finals and Semi-Finals where a strict fan segregation policy is to be implemented.

In order to avoid the difficulties that even legal ticket holders experienced in finding themselves in the 'wrong seats' at this year's Cup Final, the IFO further recommends that the Football Association works proactively with clubs, county associations and other parts of the Football Family to ensure that ticket allocations reflect likely local team preferences.

The FA Cup Final this year threw up more widespread and extensive criticism of the allocation of tickets than in previous years, even though this is always a contentious issue and there will never be enough tickets to meet demand.

The IFO received 5% of its total annual contacts on this matter and these complaints were referred to the FA, which also received unprecedentedly high numbers of complaints. Senior club officials from Everton and even the then Secretary of State at the DCMS (himself an Everton supporter) raised serious concerns about what they saw as an inadequate share of tickets given to the competing clubs. What brought this into sharper focus was the recent practice of playing the Semi-Finals also at Wembley, since the larger allocation for this match raised expectations that similar numbers would be available for the Cup Final itself. The IFO, in responding to complainants, explained the well publicised allocation policy, particularly in using this important national occasion to reward the many local volunteers who keep the grass roots game going. Many queried why there were tickets available on the internet, which, they argued, could only have come from the tickets given to this wider football family.

While not seeking to raise expectations that this is amenable to an easy solution, the IFO recommends that the Football Association, in partnership with the Premier League and the Football League, reviews its ticket allocation policy for the Cup Final with a view to increasing, if possible, the allocation to the competing clubs.



A significant number of contacts were concerned about the state of football finance, especially the matter of heavy club debt. The recent inflation in both transfer fees and player wages also attracted comment, mainly in the context of the difficulties in managing club finances. The number of clubs forced into administration (the core theme of the Luton Adjudications) demonstrate the challenges facing clubs in marrying sporting ambition with financial prudence. The IFO, therefore, welcomes the initiatives taken by the Football League to monitor club finances more closely. In particular, the League's newly acquired powers to require advance warning of clubs falling behind in their obligations to HM Revenue and Customs should help to avoid the fate suffered by Luton Town and other clubs in the recent past.



SUMMARIES OF ADJUDICATIONS

IFO ADJUDICATION 08/001

The FA's Treatment of Luton Town

A longstanding Luton Town supporter made a number of complaints about the deduction of ten points for season 2008-09 imposed by the Football Association (FA) in relation to financial irregularities committed by the club, and also about the way in which the FA had handled his complaints to them.

The Independent Football Ombudsman (IFO) was satisfied that until the FA had substantive evidence of wrongdoing, or had someone prepared to go formally on the record about the matter, their decision to limit action to monitoring the situation at Luton was a reasonable one. He found that the time spent on investigation and the judicial process was justified for such a complex case. The IFO also found that the FA Regulatory Commission which passed judgement on Luton had considered potentially relevant previous disciplinary cases, and that both the Commission and the Appeal Board had taken mitigating factors fully into account and had decided that their judgement should include an element for deterrence. (It is not for the IFO to question the merits of a decision properly taken as part of a judicial process.) The IFO did not find that the offences committed by Luton had been compounded by any inaction on the part of the FA.

The IFO found that the FA had generally been prompt, informative and courteous in their replies to the complainant

While the IFO sympathised with the situation in which Luton supporters found themselves, he was satisfied that the matter had gone properly through the FA Inquiry, Commission and Appeal Board processes. He did not, therefore, uphold the complaints.

IFO ADJUDICATION 08/003

Nottingham Forest's ticketing policy for disabled fans and their carers

A man complained that, although for the previous five seasons Nottingham Forest had provided free season tickets for his nephew, who was visually impaired, and himself as carer, they had changed their policy and for the 2008/09 season would provide a complimentary ticket for a carer only if the disabled person was in receipt of the highest rate of disability living allowance (DLA). The complainant's nephew received only the middle rate of DLA.

The IFO found that there had been no actual change in Forest's policies in relation to disabled fans. Prior to 2008/09 Forest had housed visually impaired fans in an area of the ground which they regarded as otherwise unsaleable because of severely restricted views, and they had allowed both fans and carers free tickets. For 2008/09, because of safety concerns, they had re-housed the visually impaired to a more secure and better appointed area, and had brought the ticketing provisions for the visually impaired into line with the club's policies for all other disabled fans, as they were not allowed to discriminate between categories of disabled persons.

The IFO found that stewarding arrangements which Forest had offered to help the nephew to access the ground and enjoy the service, provided a reasonable adjustment under the Disability Discrimination Act (DDA). To that extent the IFO did not uphold the complaint, but he found that there was considerable doubt as to whether the policy of differentiating between DLA categories was in accordance with the requirements of the DDA. The IFO welcomed the fact that Forest would be reviewing their policies in relation to disabled fans and that the Football League intended to review the guidance which they issue to member clubs. The IFO recommended that, as part of that process, the League should obtain definitive legal advice in relation to the matter of free carer tickets. The IFO recommended that the FA, the Premier League and the Football League take steps to introduce uniform policies in order to ensure that there is no discrimination under the DDA.

IFO ADJUDICATION 08/004**The Football League's Treatment of Luton Town**

A Luton supporter of 30 years standing and a season ticket holder submitted 10 complaints about the penalty of 20 points imposed on Luton Town by the Football League (FL). There were four main arguments; that:

- The FL procedures were flawed;
- The terms imposed on Luton's new owners were harsh and unfair;
- The treatment was inconsistent with that applied to other clubs;
- The new Luton (Luton Town 2020 Ltd) was a separate legal entity and should not have been held responsible for the actions of the previous directors.

After a full investigation, which included meetings with the FL and the provision by the FL of confidential information, the IFO concluded that the Football League had conducted the case properly within the well publicised insolvency policy and the use of the exceptional case option. While the penalty was severe (and exacerbated by the concurrent 10 point penalty imposed by the FA) there was an element of deterrence, which reflected the fact that this was the club's third administration and re-admission to the FL in 10 years. The IFO further concluded that the FL properly considers each case on its merits and the imposition of a penalty more severe than that imposed on other clubs reflected the special circumstances of the Luton case. Similarly it was reasonable to impose any conditions on the 'club' without reference to the circumstances of the change of ownership.

There was a widespread belief that the 'real fans' of Luton Town were being punished in a manner which made relegation from the Football League almost inevitable and which subsequently occurred. While sympathising with this distress, the IFO judged that the Football League had exercised its powers properly within its legitimate jurisdiction and that it had operated fairly in imposing conditions on Luton 2020's admission to League 2. The complaints were, therefore, not upheld.

IFO ADJUDICATION 09/01**The Price of Tickets for Away Fans in the Premier League**

A man made a number of complaints in connection with the pricing of away tickets. He complained specifically that:-

- The Premier League's ruling that Birmingham City had overcharged Sunderland fans was incomplete and inadequate in that it had not specified the amount by which fans had been overcharged and had not ordered that they be compensated.
- The application of match categorisation penalises the fans of some clubs.
- Aston Villa had relocated the area for away fans and had then sold the original away area to home fans at less than half the price previously charged to away fans.
- For the final three home games of 2008/09 Blackburn Rovers had charged only £20 in total for the three games. Also for one match Blackburn had allowed their season ticket holders to purchase tickets for £10 each for 'friends and family'. Away fans had been charged £24.25 for that match.

Premier League Rule J9 states 'A Home Club shall not charge admission prices to supporters of a Visiting Club which are higher than those charged to its own supporters for comparable accommodation and in particular concessionary rates offered to senior citizens and junior supporters shall apply to supporters of a Visiting Club.'

The IFO found that although the Premier League's Independent Disciplinary Commission had not explicitly stated the amount by which Sunderland fans had been overcharged, they had identified what they regarded as comparable accommodation at St. Andrew's, for which home fans had paid £30, compared to £35 paid by away fans. The IFO found no shortcomings in the disciplinary process and welcomed the fact that the Premier League donated the £30,000 which Birmingham had been fined to a charity of Sunderland's choice. The IFO considered that, although the Commission had not made an order for compensation, that should not prevent any person who had suffered a demonstrable loss through a breach of League Rules from making a claim on Birmingham. Although the IFO recognised that the match categorisation system adversely affects the fans of some clubs, it is not in breach of any rules, but more a situation arising from supply and demand.

Although the IFO could well understand the perceived injustice created by Aston Villa's re-housing of away fans, the price charged to home fans for what had been the away area was not relevant as the club were conforming to Premier League Rules by charging home and away fans the same for comparable accommodation.

The IFO found that the offer by Blackburn Rovers of tickets for three matches had also been made to away fans and the 'friends and family' scheme was regarded as a reward to season ticket holders and a means of attracting fans of the future. As the cost of match day tickets for each of the games was the same for home and away fans for comparable accommodation, there was no breach of League Rules.

The IFO welcomed the fact that the Premier League keep their Rules under constant review.

IFO ADJUDICATION 09/02 Stewarding and Ejections at Charlton Athletic

A Crystal Palace supporter, who described himself as a mature, middle-class professional with no record of public disorder, complained about his treatment by Charlton Athletic at their match with Crystal Palace 27 January 2009. On an occasion when 40-50 Palace fans were ejected, he contended that:

- He was ejected without good cause
- The policy operated by the stewards was unduly rigorous and inflexible
- By being handed over to the police following his ejection, his reputation was sullied
- Neither Charlton nor the Football League has addressed his complaints properly

In pursuing his complaint, the complainant sought an apology from the club, a refund of his ticket price and compensation for the damage to his reputation.

The IFO investigation involved two visits to The Valley to meet with club and police officials and a thorough review of the video security evidence. The IFO considered the written submissions of the complainant together with evidence from other supporters similarly ejected on the night, including a dossier compiled by the Palace Independent Supporters Association. The IFO consulted with the FA Safety Assessor who was present at the match and the Football Licensing Authority. Evidence was reviewed from the Safety Advisory Group, the Football League and the Football Association.

The events at Charlton on the evening in question resulted from an unfortunate coincidence of factors, including a high profile local derby, police assessment of a high risk of disorder, the decision (supported by the police) to search all away supporters, the timing on the evening of a busy London working day and transport difficulties at London Bridge.

The IFO considered that Charlton might have advised its stewards to be more tolerant and flexible, but concluded that the club, which had a good reputation, acted reasonably in instituting a full search policy, following police assessment of the risk and specific intelligence about the likelihood of disorder. Transport delays contributed to the late admission of some 900 Palace supporters, some of whom became disgruntled about the undue delays and this contributed to the hostile reaction to searching, which led to many ejections. There was a direct contrast between what the club and the complainant said about the specific ejection and in the face of conflicting accounts it was not possible for the IFO to determine what precisely took place. In the light of inconclusive evidence, the IFO was unable to uphold the complaints.



THE IFO TERMS OF REFERENCE

1. Preamble

The Independent Football Ombudsman (the IFO) is appointed by the Football Association, the Football League and the Premier League (hereafter, the football authorities), in consultation with the Department for Culture, Media and Sport. The IFO provides independent external scrutiny of complaints within a transparent, accountable and effective system of self-regulation by the football authorities. This includes commitment to the Customer Charter process, and recourse to PL, FL and FA Rules where necessary. The football authorities are committed to providing robust and open complaints procedures, widely publicised, taken seriously by the Clubs, reinforced by the PL, FL and the FA and subject to external appeal. The IFO will also provide an external and independent voice in discussions within football on issues which affect the public

2. The Independent Football Ombudsman's Terms of Reference

(i) The IFO acts as the final appeal stage within football's complaints procedures and its adjudications will be published. The football authorities agree that these adjudications should be final. If, in exceptional cases, there is a failure to agree the football authorities will publish their reasons and their proposed alternative resolution of the issue.

(ii) The IFO will have regard to best practice in commercial matters within professional football, particularly with regard to customer service. The IFO will be consulted and will advise on:-

- Codes of Best Practice relating to supporters and customers in general, and customer charters issued by each of the football authorities, and by individual clubs;
- the football authorities' operation of the complaints resolution hierarchy based on the Codes of Best Practice, with the Independent Football Ombudsman as the final step in that hierarchy; and
- the football authorities' procedures for review and monitoring of commercial and customer matters. In this, the IFO is to have particular regard to:-
 - Ticket prices
 - Accessibility of matches
 - Merchandise; and
 - Supporter and other stakeholder involvement.

(iii) Where complaints resolution indicates wider action is appropriate, to recommend changes to Codes of Best Practice and Customer Charters, to request review of the rules and regulations of the football authorities relating to commercial and customer-related matters and to request research or other investigation into policy relating to those matters.

(iv) The IFO will be consulted by the football authorities on proposed programmes of research into supporter and customer matters.

(iv) The IFO will be consulted by the football authorities on significant changes to regulation or practice in the areas of supporter and customer relations.

(v) The football authorities will publish at least annually their responses to the work of the Ombudsman. The IFO will be consulted on those responses prior to publication. The work of the ombudsman will be reported in Club, League and FA annual reports as applicable and any public policy implications will be reported to the Department of Culture, Media and Sport by the football authorities at the existing established and regular meetings between football and the Department

3. The Constitution of the IFO

The office of the IFO will consist of the Ombudsman and a Deputy. An Advisory Panel will be appointed by the IFO so that, according to the requirement for particular expertise, a Panel member can sit with the IFO and/or Deputy IFO to advise on complaint adjudication or on issues arising from complaint investigations.

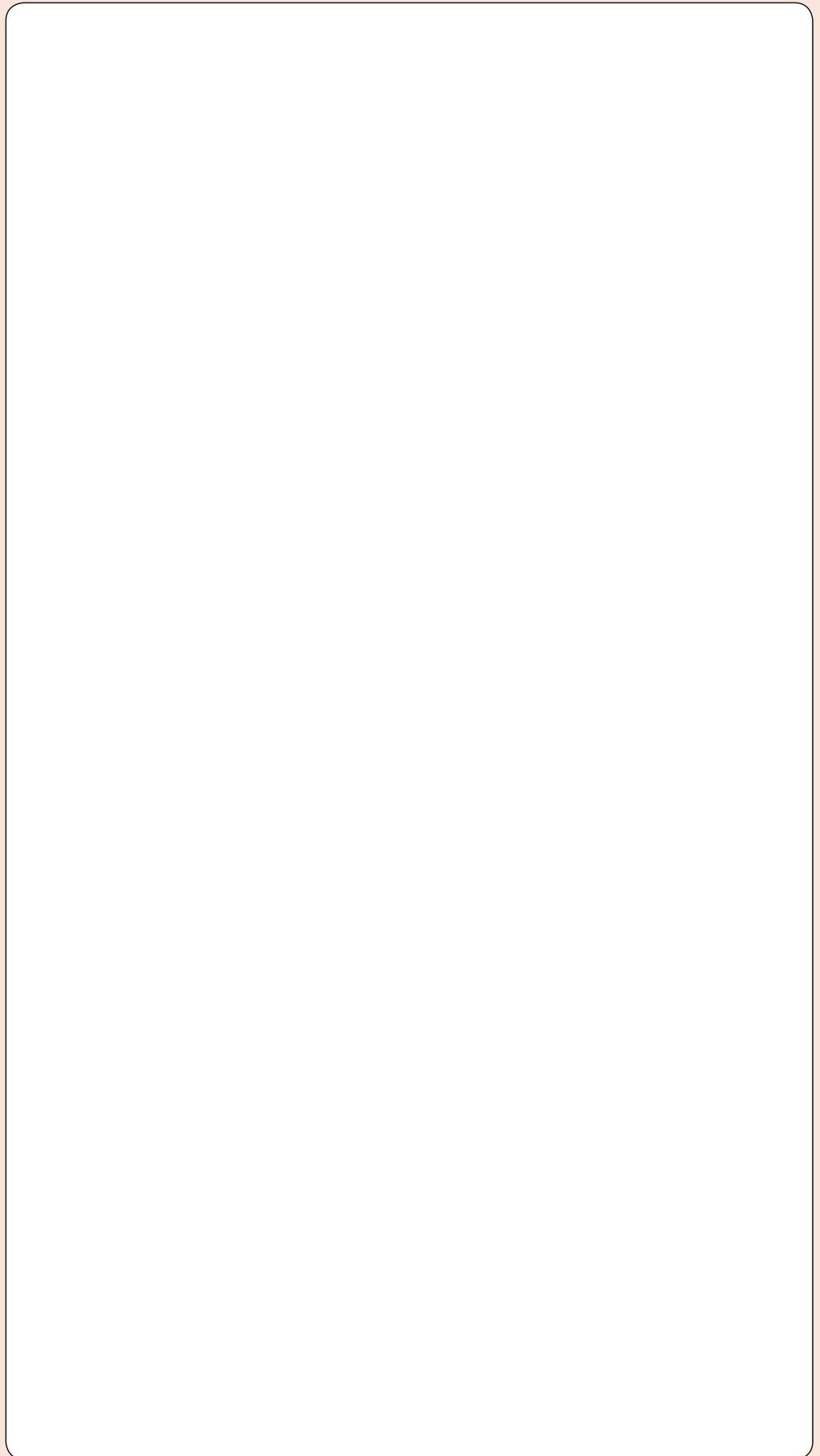
4. Appointments

The Ombudsman will be appointed in consultation between the football authorities and with Government. In the first instance Prof Derek Fraser is the appointed Ombudsman, with Alan Watson appointed Deputy.

5. Term of Office

The IFO will be appointed for two years in the first instance, three years thereafter. The Deputy will be appointed for three years.

NOTES



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