



MIDDLESEX NOTES ON RFU COUNCIL MEETING

Hybrid meeting @ Twickenham Stadium on 19th November 2021 at 10.00 am.
Second Council meeting of the 2021/22 season

The meeting was chaired by the President, Jeff Blackett.

A minute's silence was held in memory of Jim Chapman, who died recently. Jim stood down from the RFU Council in the summer after serving for 10 years as one of the two Yorkshire Council Members.

1. Chief Executive Officer's Report

Bill Sweeney - Chief Executive Officer

1.1 Women's Rugby World Cup 2025

- a. On 22nd October, the RFU formally announced its bid to host the 2025 Women's Rugby World Cup
- b. The UK Government has made a financial commitment to support the bid.
- c. A major focus will be placed on a legacy programme that will benefit all levels of the game
- d. According to a study conducted by Sheffield Hallam University, hosting the tournament would boost the UK economy by somewhere in the region of £150m, with a legacy programme generating an estimated £80m.
- e. The planned multi-city and multi region approach to delivering the tournament would also see over 75% of the investment outside of the Southeast with matches in stadiums up and down the country.

1.2 Project Light

- a. The long form documentation for Project Light – the investment by CVC in the commercial rights of the Six Nations – has now been signed.
- b. Under the agreement the RFU will receive c.£90m over the next five years.
- c. The RFU Board has agreed that the £90m will be used as follows:
 - i. to invest in assets for the community game.
 - ii. to invest in commercial growth projects (specifically: stadium master-planning; commercialisation of digital, data and content; and commercialisation of the women's game); and
 - iii. to pay off debt and rebuild reserves.

1.3 Championship Review

- a. The Championship Review continues with extensive dialogue with a wide variety of stakeholders.
- b. The driving principle of the work is that change is required to achieve the best outcome for the game in England.
- c. Recommendations from the review group will be considered by the Board and Council early in the New Year.





1.4 **Elite Player Squad (EPS) Agreement**

- a. The men's EPS agreement is a tripartite agreement entered into by the RFU, each men's EPS player and those players' clubs. The agreement covers player training, playing, commercial appearance fees and use of the players' image rights (for example in commercial partners' materials). The agreements are centrally negotiated and are separate from the arrangements for release of players that are part of the PGA.
- b. On 21st October, the Board approved the signing of a binding agreement with the RPA, Team England Rugby LLP (the collective body representing the rights of the EPS players) and PRL setting out the principles of the EPS Player Agreement for seasons 2021/22 to 2023/24 and the revenue share mechanic for the following cycle 2024/25 to 2027/28.
- c. The general structure and total fee pot for the three years remains the same as the previous agreement but there has been a greater emphasis placed on performance related remuneration in the current cycle.
- d. These principles will now be reflected in the individual agreements with the men's EPS players.

1.5 **Rugby Union Winter Survival Fund (RUWSF) Grants/Loans**

- a. The RUWSF is a Government Fund aimed at helping clubs overcome financial difficulties caused by the COVID pandemic.
- b. The fund was negotiated by and is being administered in conjunction with the RFU.
- c. **Grants**
 - i. Grants totalling £18m have all now been distributed
 - ii. Audits are about to commence for 10% of clubs that were awarded grant funding.
- d. **Loans**
 - i. 116 loans totalling £11m have now been approved by the Investment Committee, and in-principle offers have been sent to successful applicants.
 - ii. The legal documents underpinning the programme have been incredibly complex; however, it is hoped to have everything finalised shortly.
 - iii. While there is still work to be done to close off the process, the RUWSF has been a remarkable achievement. Not only is it a critical source of funding for clubs during an incredibly difficult period,
- e. In total it is expect that £30m of funding will be distributed to Community Clubs.
- f. The scheme is now closed to new applicants.

1.6 **Community Game Return to Play**

- a. The President, CEO, and the Director of Rugby Development (jointly and severally) been visiting clubs and CBs recently to re-engage and understand the current community game landscape. Feedback has been positive, with many clubs feeling more financially stable than eighteen months ago
- b. Further work is needed to fully understand issues related to adult male participation rates; the return and retention of all players (particularly those at U14-18 level), volunteers, and officials; and what more can be done to support the game.
- c. Individual task groups were set up at the end of September to gather data, implement short-term interventions and develop long term plans to deal with



issues that are identified.

1.7 **Player Welfare**

- a. The Head Impact Prevention and Management Subcommittee met on 26 October, in what was Paula Carter's first meeting as Chair. Paula replaced Helen Weir at the beginning of the season.
- b. The group discussed stakeholder management and the ways in which the Union can maximise relationships with World Rugby, Team Sport NGBs and DCMS/other UK Government bodies to further work in this area.
- c. The following is an update on the ongoing/upcoming player welfare-related research, initiatives, and interventions:
 - i. The timelines for the commencement of Premiership trials involving instrumented mouthguards (iMGs) have been pushed back to allow for the completion of an extensive data validation process. This is expected to be completed by January 2022, at which point iMG procurement and implementation can commence:
 - ii. The Red Roses are taking part in a World Rugby trial involving iMGs throughout the 2021 Autumn Internationals.
 - iii. Saliva samples are currently being collected in the Premiership and AP15s as part of a trial to assess whether saliva microRNA biomarkers can be used to diagnose concussion:
 - iv. The waist high tackle trial in age grade rugby will now be introduced from season 2022/23. This will be preceded by a pilot and pre-season phase. Podium Analytics will gather and analyse data during the pilot phase, which will inform the subsequent implementation:
 - v. It is now mandatory for independent concussion consultants to sign off on clinical recovery in the Premiership, AP15s and Championship before a player can return to the field of play:
 - vi. Head Injury Assessment (HIA) has been implemented in the AP15s – the first domestic women's league to do so: and
 - vii. The Advanced BRAIN Health Clinic opened in October. This will provide retired elite players with a comprehensive assessment of medical and psychological factors relevant to their brain health, led by academic and clinical experts. An integrated and a parallel research programme will conduct research in the risk, causes, assessment and management of brain problems occurring following participation in elite rugby.

1.8 **RFU Culture**

The RFU People team are leading on several initiatives to develop and strengthen the organisational culture as the Union emerges from the pandemic and embraces new ways of working with the increased flexibility to work locations and timings proving beneficial to work/life balance and overall output.

2. **Report from the Chair of the Board**

Tom Ilube – Chair of the Board of Directors

- 2.1 The second scheduled Board meeting of the season took place on 3rd November at Twickenham.
- 2.2 Following the meeting, the Council Members on the Board, and the Independent Non-Executive Directors (INEDs) met with the CEO, and in future these sessions will rotate between the different groups within the Board so that there is the opportunity to discuss issues on a closed, confidential basis.



2.3 Principle work of the Board

- a. The main decision for the Board at the meeting on 3rd November was to approve the RFU group annual report and accounts.
- b. The Board received reports from each of its principal committees.
- c. Board Composition
 - i. With Simon Massie-Taylor leaving the RFU in the New Year (to become CEO of PRL), the Board will reduce in size to thirteen, and then to twelve at the end of this season when one retiring Council Elected Director will not be replaced.
 - ii. There will be turnover within the Board at the end of this season with three Board members stepping down.
 - iii. The Board Nominations Committee has begun its work preparing job descriptions and work plans to manage this.

2.4 Board Strategy Day

- a. The Board Annual Strategy Day will take place in early December. This is an opportunity for the Board to anticipate the challenges and opportunities that the game (both at Community & Elite level) may face in the medium to long term. The Board will be assisted by external expert speakers who will give a view on the wider societal and demographic context.

3. Community Game Board (CGB) Report

David Roberts – Chair of the CGB

3.1 The CGB last met on 19th October.

3.2 The principal focus/outcomes of the meeting were:

- a. CGB Received the following updates
 - i. the priorities that had agreed by the Trustees of the Rugby Football Foundation on how to invest £1.7m received under the Debenture Gift Aid scheme. The Trustees have agreed the priorities as Growing numbers of club volunteers, growing young and female match officials and pitch side care.
 - ii. a detailed presentation on the Insights Dashboard. The Dashboard currently provides information at both Club and CB level and, once more data is added at player and match level, will prove to be a very useful tool to help inform decision making.
 - iii. A report the Adult Male Future Competition Strategy was received – with a particular focus on the ongoing debate concerning the introduction of lower XVs into the RFU Leagues.
 - iv. An update on Safeguarding.
 - v. Headlines from the ongoing CB and Club visits were received. A full report from these will be considered at the CGB's January meeting.
 - vi. An update position on player affiliation project was received, including initial metrics and feedback from the 5 CB pilots.
- b. Following discussion on referee shortages at the October Council meeting an update on actions being undertaken was received. The effect of the shortage of match officials this season has been partially offset by the high number of games cancelled.
- c. CGB agreed the Terms of Reference (ToR) and membership, along with indicative timeline, for a review of the women's competition structures.



3.3 **Community Game Matches**

- a. Anecdotally, there is a countrywide problem with the number of match cancellations (in mens, womens & youth rugby) this season .
- b. The CGB has formed a task and finish group to investigate this issue. The group would use both Quantitative and Qualitative data to understand the problem and recommend remedial actions.
- c. The Rugby Development department is collating data to give an accurate picture of the state of the game across the Country. Initial results confirm the high number of cancellations and a higher than usual number of clubs withdrawing from the leagues.
- d. It is planned to present this data and discuss possible remedial actions at an informal Council meeting that will be held in the next couple of weeks. This will complement the work of the task group.

3.4 An additional CGB meeting in early December, ahead of the annual business planning session in January 2022

4. **Player Affiliation and Engagement (Project Touchstone) Update**

Ben Lowe – Head of Rugby Growth

4.1 Council received an update on the development and roll-out of the new player affiliation process.

4.2 The objective of the project is to:

- a. Facilitate direct communication from the Union to the players:
- b. Help monitor player welfare:
- c. Simplify administration with players inputting and owning their own data; and
- d. Enhance decision making with through using accurate data.

4.3 The plan is to make player affiliation mandatory at all levels of the game from the start of the 2022/23 season. A final decision on this will be made by Council in February 2022.

4.4 Discussions are continuing as to whether, with the introduction of Player Affiliation, Player Registration is still needed or desirable. The debate centres on the need to maintain competition integrity and player safety.

4.5 Pilot schemes are currently being run in five Constituent Bodies.

4.6 Five questions remain to be answered:

- a. Can affiliation be delivered through GMS?
- b. Will it be possible to align effective registration with player affiliation, simplifying the process for an administrator in a club?
- c. Will player affiliation reduce volunteer burden and how is the administrative impact of the change minimised?
- d. How will the Union implement, communicate, and incentivise affiliation across the game?

4.7 **Next Steps**

- a. Continue engagement with CB leads and target clubs
- b. Expand roll-out to non-target clubs where appropriate
- c. Gather learnings, feedback and data for approval process and implementation plan development.

4.8 **Approval process**

- a. Hold joint CGB / Governance session to provide in-principal approval of mandatory affiliation, ahead of next Council meeting.



- b. Seek approval from Council for mandatory implementation throughout the game in time for the start of the 2022/23 season.

5. **Adult Male Future Competition Structure (FCS) Implementation Update**

Stephen Pearson – Chair of the FCS Implementation Group

- 5.1 Council received an update on the work of the FCS Implementation Group, which included proposals:
 - a. to set up an FCS Implementation Commission to consider appeals from clubs relating to their position in the new league structure; and
 - b. To permit local variations to the entry of lower XVs in the English Club Championship.
- 5.2 Council was reminded that the changes to the adult male game should meet the following four principles. The principles are equally important and are not intended to have priority over each other. Any changes must consider the following:
 - a. Player centricity/player welfare
 - b. Appropriate travel time/distance
 - c. Quality of player experience/quality of competition
 - d. Club sustainability
- 5.3 The Implementation Commission is necessary to consider and resolve competition related matters not covered through playing regulations that may arise because of the implementation of the FCS. It is proposed the Commission is in place for one year to deal with specific FCS Implementation impact matters.
- 5.4 Following discussion, Council **APPROVED**:
 - a. the role and responsibilities of the FCS Implementation Commission;
 - b. the criteria for the inclusion of Lower XVs in the English Club Championship and the process for CBs to make local variations to the entry of Lower XVs in the English Club Championship (Appendix 1); and
 - c. that the Governance Standing Committee is given delegated authority to finalise the regulations to put these resolutions into effect.

6. **Girls Age Grade Bandings**

Lou Latter – Women & Girls Representative

- 6.1 Lou Latter outlined the background and principles behind the proposed change to the new age grade bandings in the girls age grade from the 2022-23 season.
- 6.2 The proposal is that the new girls age bandings will be at Under 12, Under 14, Under 16 and Under 18.
- 6.3 Playing rules will align to the boys' game for clarity, consistency, and equity.
- 6.4 For Under 11 girls the following flexibility will be available:
 - a. They can continue to play Under 11 mixed rugby; or
 - b. They can play girls only Under 11 rugby; or
 - c. They can 'play up' into Under 12s, following appropriate playing up sign off.
- 6.5 Playing up in the U18 age band under the conditions and assessment requirements in Reg 15.3 will be permitted for Under 16 girls in the Centre of Excellence programme.
- 6.6 Council **APPROVED** the proposed changes to the Girls Age Grade Banding. The regulation changes will be presented to Council for approval later in the season.



7. **Diversity & Inclusion (D&I) Implementation Group Update**

Genevieve Glover Chair of the D&I Implementation Group

- 7.1 The Group met for the first time of the 2021/22 season at the end of October, to discuss progress against the recommendations since the summer.
- 7.2 The Group will continue to meet regularly throughout the 2021/22 season and are now focused on implementing the remaining recommendations from the action plan.
- 7.3 Recommendation 4 – “The RFU to consider where it may be appropriate to introduce a D&I requirement to secure certain types of funding, eg: CBs to satisfy all/certain demands of the sports governance code”. This recommendation is challenging due to the financial implications.
two key points have been identified:
 - i. The Union should recognise and acknowledge that whilst the initial approach may be to persuade, there may come a time when compliance will become compulsory. Some elements should be compulsory, such as statement of intent and acknowledgement in the Constitution and both would be easy to do, then link funding to actions to deliver elements of action plan.
 - ii. No ‘one size fits all’, so the Union should be aiming for generic requirements to be subjectively assessed on a case-by-case basis. It will be essential to factor in language around the local community make-up.Further work to progress this will occur ahead of Christmas, with a more detailed proposal being brought to Council in 2022, including a statement of intent and a planned timeframe.
- 7.4 Recommendation 9 – Inclusive Volunteer Recruitment Toolkit launched at the end of September and can be found at EnglandRugby.com. An online seminar was held in early October to talk through the resources to club and CB representatives, with over eighty people signing up.
- 7.5 26 CBs have now appointed D&I Leads

8. **Men’s Elite Game Update**

Conor O’Shea – Professional Rugby Director

8.1 **Player Pathway**

The pathway is clear and is producing players capable of playing international rugby for England.

8.2 **Championship Review**

- a. A Council briefing will be held before Christmas to present the considered thoughts of the Championship Review. Final recommendations will then be presented to the February Council meeting for formal consideration.

8.3 **Project Everest**

- a. This project is aimed at developing an elite coach pathway culminating in producing coaches who can go on to coach the England representative teams at the highest level

8.4 **Professional Game Match Officials Team (PGMOT)**

- a. Following the resignation of Tony Spreadbury to take become Head of Match Officials at European Professional Cup Rugby (EPCR), an organisational review of the PGMOT has taken place.
- b. It has been recognised that the structure will have to change as the current structure is based around Tony Spreadbury’s unique skill sets.
- c. The senior referees have been closely involved in the review.



- d. An interim structure has been put in place to cover the remainder of the season, whilst a permanent structure is put in place under new leadership.

9. **Women's Game Premier 15s League Proposal**

Lou Latter – Women & Girls Representative

- 9.1 Council approved a presentation on the way forward for the Women's Game Premier 15s competition.
- 9.2 The Premier 15s is in its second season of a three-year cycle, work has begun to evaluate how the RFU could best optimise the future of the Premier15s, to accelerate the growth of the league and maximise its own commercial and performance opportunities; and to best make sure that the Premier 15s is an enabler of the whole women and girls 'accelerate and grow' plan.
- 9.3 Further work and commercial modelling are required to determine the length of the league term; however, the initial proposal is a cycle length of between 3-5 years.
- 9.4 The current proposal put before Council only relate to the entry mechanism into the league from 2023/24 season, as a decision is needed by the end of 2021 to give clubs ample time to prepare.
- 9.5 Further proposals and details will be brought to Council once the Commercial review has been completed.
- 9.6 Following discussion, Council **APPROVED**:
 - a. The mechanism to access the league in year 7 will be through a combined process of audit and then tender/retender process:
 - b. That if team is removed from the league during the 3-5 year period, WPMG can run a further tender process for that position:
 - c. To delegate authority to WPMG to agree upon the operational details pertaining to the audit and tender / retender process including whether the new structure should be in place for 3, 4 or 5 years depending on the outcome of the commercial review: and
 - d. To delegate authority to Governance to amend the regulations as required.

10. **Governance Standing Committee Report**

Chris Cuthbertson – Chair of the Governance Standing Committee

- 10.1 Governance last met on the 13th October.
- 10.2 At that meeting Governance approved the application from London Scottish Lions RFC to become a Voting member of the RFU. The application met the criteria laid down in RFU Regulations and was supported by Middlesex County RFU.
- 10.3 Governance also agreed to recommend the changes to the Girls Age Grade Banding to Council.
- 10.4 Under delegated powers Governance agreed to the following changes to RFU Regulations:
 - a. Correction of an anomaly relating to the sanctioning of clubs (in both the men's and women's games) for failure to fulfil league fixtures.
 - b. Correction of an anomaly around the definition of "League" in the regulations, whereby under the current regulation this could be interpreted as not applying to the women's game. The definition has now been broadened to include women's competition.
- 10.5 Governance approved the principles in the proposed recommendations from the FCS Implementation Group and delegated finalising of the drafting of the regulations to Angus Bujalski and Stephen Pearson.



- 10.6 Governance endorsed the decision of the Club Financial Viability Group to approve Huddersfield Laund Hill Community Club, a Phoenix entity, taking over the assets and Level 7 League position of Huddersfield YMCA RUFC
- 10.7 Governance noted the concerns of the Adult Competition Management Sub-committee about the number of cry offs within the adult male game and the decline in the willingness of adult male players to play regularly. This will be kept under review in conjunction with the Community Game Board.
- 10.8 Governance continues to be concerned about the practicality of implementing the following next season:
 - a. Mandatory player affiliation at all levels of the game
 - b. Mandatory adoption of Minimum Operating Standards for Pitch-side care in the Community Game
- 10.9 Work will commence early in the New Year on the Regulation changes to be introduced in 2022/23. These will be brought to Council in due course.

11. **2022 Annual General Meeting Location**

Angus Bujalski – Legal & Governance Director

- 11.1 Angus Bujalski advised the meeting that consideration was been given to holding the 2022 AGM as a hybrid meeting at Twickenham.
- 11.2 Council members were asked to provide feedback on this proposal.
- 11.3 Governance will make a final recommendation for Council's consideration at the April Council meeting.

12. **Board Nominations Committee Report**

Dominic Proctor – Chair of Board Nominations Committee (Board Nomco)

- 12.1 Dominic Proctor reminded Council that the process was in train to reduce the size of the Board from fourteen to twelve in line with the Sport England Governance Code.
- 12.2 At the end of the 2021/22 season the following directors come to the end of their terms:
 - a. **Dominic Proctor** – INED
not eligible for a further term
 - b. **Chris Cuthbertson** – Chair of Governance
eligible for one further year but has confirmed he will not seek re-election
 - c. **Phil de Glanville** – PGA Representative
Eligible for a further term
 - d. **Jonathan Webb** - World Rugby Representative.
Jonathan has completed his six-year term on the Board but can continue subject to (i) annual re-election as World Rugby Representative by the Board and (ii) annual re-election as one of the Council Elected Directors by Council.
 - e. **Peter Whiting** – Council Elected Director
Not eligible for a further term, and due to a reduction in Board size, will not be replaced).
- 12.3 **Simon Massie Taylor** has resigned from the RFU to become CEO of PRL. Simon is currently a director, but he will not be replaced on the Board due to the planned reduction in Board size.
- 12.4 Work has commenced on identifying candidates to fill the Board vacancies, so that they can be appointed in a timely manner.
- 12.5 **World Rugby Representative**
At its November meeting the Board approved the recommendation from the Board Nomco that Jonathan Webb should be re-appointed as one the Union's World



Rugby Representatives. Jonathan will only continue on the Board if re-elected as a Council Elected Director.

12.6 **Six Nations Council Representative**

Following the resignations of Simon Massie-Taylor, the Board agreed (on the recommendation of the Board Nomco) to appoint Sue Day as the Union's second Six Nations representative on the Six Nations Council (Bill Sweeney being the other one).

12.7 The Board Nomco continues to collaborate closely with the Council Nomco.

13. **Council Nominations Committee Report**

Ken Andrews – Chair of the Council Nominations Committee (Council Nomco)

13.1 RFU Award for Non-Council Members

A proposal on this will be brought to the February Council meeting.

13.2 **Appointments**

- a. CGB have set up a Task & Finish Working Group to investigate the problems facing the Community Game in terms of the current player and referee shortages. Council Nomco approved the appointment of Alan Milliner, David Roberts, Jackie Dyer, Phil Attwell and Joe Bedford to this group.
- b. Jackie Dyer and **Eddie Keal** have been appointed to the Club of the Future Commission.
- c. The following Council members have been appointed to the County Championship Organising Committee (CCOC); **Tim Miller** (Chair), Ted Atkinson, Gary Henderson & **Eddie Keal**.
- d. **Junior Vice President & Chair of Governance**
Invitations to apply for both the above posts will shortly be sent out with applications to be returned by the end of December. Interviews will be held in January 2022.

14. **Co-option to Council**

Ken Andrews – Chair of the Council Nominations Committee

14.1 In line with the Diversity & Inclusion plan, Council **APPROVED** the recommendation from Council Nomco that the following to co-opted onto Council to improve the diversity of Council for a fixed term until 31st July 2023.:

- o Garnet Mackinder
- o Yemi Gbajobi
- o Roxroy Fearon
- o Matthew Web

14.2 They will assume their appointments with immediate effect.

15. **Finance Report**

Sue Day – Chief Operating & Financial Officer

15.1 **2021 Annual Report & Accounts**

- a. Sue Day presented the 2021 Annual Report & accounts to Council.
- b. As these had only been made available to Council the previous day, a virtual meeting will be held in early December to answer any questions that Council may have.
- c. The key points that Sue Day highlighted were:
 - i. The Covid impact on revenue in 2020/21 was huge. Revenues were down £120m on the pre-Covid forecasts of £215m at £97m



- ii. The underlying loss for the year was £21.3m, compared to a pre-Covid forecast profit of £9m – ie. £30m less profit than had been forecasted for the same period.
- iii. Despite the underlying loss of £21.3m, the accounts reflect a profit to reserves of £20.5m. This is because the underlying loss is offset by an accounting profit of £41.8m from the successful debenture donation programme. It is important to understand that only £1.7m of the £41.8m is cash, the remainder is the extinguishing of a long-term liability.
- iv. Despite all the losses, the Union is a financially strong and resilient organisation.

15.2 2021/22 Quarter 1 Results

- a. The Q1 Results (July/Sept) are slightly ahead of budget, due to an increase in revenue from the summer series and a fall in insurance premiums due to reduced activity.
- b. A reforecast will be done at the end of the calendar year. This is expected to show a significant uplift in ticketing income. The budget had assumed 50% capacity throughout the year, but all three internationals have been close to capacity and there is reason to be hopeful the home Six Nations matches will sell out. This upside will be partially offset by rising energy costs, increases in insurance premiums and general inflation.
- c. The Board will review the forecast in January and decide whether to make any changes to the rugby investment budgets.
- d. The Union is still cash generating and continues to operate within its bank facilities.

15.3 Bank Facilities

- a. The Union recently initiated a review of its bank facilities and went out to tender. Several banks responded, and a favourable result was achieved with interest rates lower than before.
- b. It is hoped that the Union will be debt free within 3 years.

16. National Governing Body (NGB) Review Task Group Update

Mike Waplington – Chair of the NGB Review Task Group

- 16.1 The purpose of the Task Group is to conduct an organisational review of the RFU as an NGB and recommend an optimal structure for the volunteer element of the RFU allowing the latter to perform its core function as an NGB and to deliver its strategic objectives. As such, that structure needs to be agile, reflective of society and the increasing diversity of rugby participants over the next 5-10 years, and able to meet the demands of a rapidly changing environment.
- 16.2 The first meeting of the Group was held on 11th October. The main purpose of that meeting was to consider the milestones to be achieved to meet the agreed timeline along with the workstreams to meet the objectives.
- 16.3 In the light of the discussions at the meeting there was a recommendation to Council that the Terms of Reference should be amended. This was **APPROVED** by Council along with the appointment of Helen Rayfield and Charlie Roberts to the task group from the wider game.

The meeting closed at 5.10 pm.



The next Council meeting is on 25th February 2022.

Chris Cuthbertson & Eddie Keal

26th November 2021

These notes are our personal recollections of the meeting and include those matters of interest to Middlesex Clubs. No attempt has been made to convey all the opinions expressed during the debates.



APPENDIX 1

Lower XV's team entry criteria for the English Club Championship, including the process for CBs to make local variations to the entry of lower XV's

PART 1 – ENTRY CRITERIA

1. Subject to the potential for local variations as set out below, Lower XV's will be admitted to Level 7 (or below) of the English Clubs Championship (ECC) if they meet the criteria set out below. These criteria take precedence over and supersede any existing criteria in place in relation to lower XV's.
2. Clubs must apply to their respective DOC for consideration to be admitted into the league structure in such form as prescribed by the DOC by [insert date]. This must include a request from the club as to the level they wish to be initially placed in.
3. Premiership clubs' Lower XV's and Championship clubs' 2nd XV's are ineligible to apply. Applications from Championship clubs' 3rd XV's and below are permitted.
 - (a) Applications must be in the form prescribed by the DOC and include the following evidence:
 - (b) Have a First XV already playing in the ECC Leagues, but not at the lowest league level locally.
 - a. Sufficient evidence in the opinion of the DOC/CB that demonstrates a consistent ability to fulfil fixture commitments over the previous two playing seasons. As a minimum standard the evidence will consist of:
 - I. 15 games played during the most recent season
 - II. The date, venue and result of each match
 - III. Matches played on the same day as a higher team ie. First XV tea
 - IV. Consideration will also be given to matches that have been postponed [or not fulfilled] where there is compelling evidence that the cancellation was made by the opponents or due to Covid-19 related reasons.
 - V. Only fixtures entered GMS will count as evidence
 - b. All applications must be submitted to the DOC by the deadline who will determine if the applicant is permitted to participate in the ECC. Applicants will be notified accordingly of the DOC decision.
 - c. Applicants may appeal the DOC decision by writing to [insert] within 14 days of the written confirmation of the DOC decision. Any appeals will be heard by the FCS Implementation Commission (FCSIC) who may request in their absolute discretion further information from the DOC and/or applicant. The decision of FCSIC will be final and binding, and there is no further appeal thereafter.
 - d. As set out in RFU Regulation 13.2.4(b), teams from the same club will not be permitted to play together in the same league.



APPENDIX 1

PART 2 – LOCAL VARIATIONS

There will be a new Regulation to allow a local variation based on the following principles. There will be further detail to be included in regulations, including managing the decision-making between CBs and DOCs. Note: as set out in the covering paper, the four principles of the FCS work are to be considered in the drafting of the regulation, namely:

- Player centricity/player welfare
- Appropriate travel time/distance
- Quality of player experience/quality of competition
- Club sustainability

A Constituent Body may elect to exclude Lower XV's from being admitted to Level 7 or below of the English Clubs Championship in the leagues in the English Clubs Championship which it operates, but only if a vote has taken place open to all clubs which are members of that Constituent Body playing in the English Clubs Championship which resulted in 66% or more of those voting, voting in favour of not having Lower XV's integrated into the English Clubs Championship in the leagues in the English Clubs Championship which that Constituent Body operates.

The Constituent Body may elect to hold this vote itself, or it must conduct a vote if a sizeable number [Note: to be defined more clearly in regulation] of clubs which are members of that Constituent Body playing in the English Clubs Championship request that a vote is held. The wording of any resolution must be as specified by the FCS Implementation Commission.

If a Constituent Body wishes to put in place any local variations to the inclusion of Lower XV's in the English Clubs Championship, such as:

- (a) a restriction on the level at which Lower XV's may enter the English Clubs Championship;
or
- (b) a restriction on the number of Lower XV's that may enter the English Clubs Championship;
or
- (c) an ability for the Constituent Body to refuse permission if it is satisfied that there is an existing sustainable local competition meeting the needs of an applicant club's Lower XV,

then this must be agreed with the FCS Implementation Commission. Any decision of the FCS Implementation Commission is final.

~ End ~