

RFL GOVERNING BODY ENDORSEMENT REQUIREMENTS 2010 – 14 September 2009

Background

The governing body endorsement (GBE) requirements for those to be employed in Rugby League in 2010 are set out below. These requirements were agreed following consultation with the clubs and Rugby League Players Association (RLPA).

In applying these Requirements the RFL will work within the UK Border Agency's Code of Practice for Sport Governing Bodies.

Extent of Governing Body Endorsement (GBE) Requirements

The GBE Requirements apply to Tier 2 and Tier 5 applications.

The GBE Requirements apply to clubs playing under the jurisdiction of the Rugby Football League (RFL), Scotland Rugby League and Wales Rugby League.

These Requirements come into force from the date that they are published and remain in force until such time as they are superseded by a revised set of Requirements. For the avoidance of doubt the Requirements will apply to all applications made to employ during the remainder of the 2009 season which have not already been made under the 2009 GBE requirements.

Review

The Requirements will be reviewed on an annual basis. Such review will include consultation with the clubs and the RLPA.

Season

For the purposes of these Requirements the season shall normally run from February until November.

REQUIREMENTS

Rugby League International Federation Tiers as at 2009 (based on RLIF rankings)

Tier 1 - Australia, New Zealand, England, Fiji

Tier 2 - France, PNG, Ireland, Tonga, Scotland, Samoa,

Tier 3 - Lebanon, Wales, Russia, Cook Islands, USA, Serbia, Japan

1 PLAYERS

Endorsements will only be issued for players to play for clubs in the Super League or Championship and Rugby League Conference National.

Players - Initial Applications – Non discretionary Requirements

These requirements apply to all non EU nationals. In normal circumstances the RFL will consider the last two complete seasons prior to the application date. However where

applications are made in mid season or where there are other relevant reasons the RFL will decide which seasons are to be considered relevant. (see below for discretionary procedures).

The player must have achieved at least one of the following standards:

- 1 **NRL** - The player has played in 50% of NRL 1st Grade appearances in NRL games including play off games but not pre season games in the qualifying period.
- 2 **State of Origin** - The player has played in one State of Origin match in the qualifying period.
- 3 **International – Tier 1 Countries** - the player has played in one match in the 2008 World Cup or a Tri/Four Nations Match or a Test Match in the qualifying period.
- 4 **International - Tier 2 Countries** - The player has played one match in the 2008 World Cup or has played 50% of RLIF officially recognised International matches in the qualifying period.
- 5 **International - Tier 3 Countries** - The player has played in 75% of RLIF/RLEF officially recognised International matches in the qualifying period.
- 6 **Rugby Union Players** - The player meets the current GBE requirements as published on the relevant home Union website from time to time.

It is the responsibility of the club making the application to provide documentary evidence which proves the player's record to the reasonable satisfaction of the RFL.

Players - Initial Applications - Discretionary Requirements

RFL will consider applications for players who do not meet the above requirements on an individual discretionary basis. Decisions will be made by a Panel of RFL Senior Executives who will consider written applications from the club concerned. The Panel will give written reasons for their decision. There will be a right of appeal against decisions of the Panel to an independent Panel drawn from the RLPA & Operational Rules Tribunal.

For the avoidance of doubt discretionary requirements are intended to identify players that are of the same standard as those that would qualify under Non-Discretionary Requirements but that for some reason satisfactory to the Panel have failed to achieve the Non-Discretionary Requirements in full.

In order to be considered under the Discretionary Requirements a player must have partially achieved at least one of the Non-Discretionary Requirements (listed at 1-6 above) unless the player comes from another sport. For players from Rugby League the factors to be taken into account when making a discretionary decision will be:

- 1 The player's record in Rugby League including but not limited to:
 - The player's achievement against the Initial Applications Non Discretionary Requirements
 - the player's junior international representative career
 - the player's senior representative career
 - the player's record in Super League
 - the player's record in the NRL; and

2 The financial package offered to the player which should show that he is being paid enough to place him in the relevant Super League club's Top 20 highest paid players (as defined by the Salary Cap Regulations) or for Championship clubs a guaranteed financial package of £10,000 p.a.

Where a player comes from another sport the following will be taken into consideration:

- 1 The player's athletic ability;
- 2 The relevant transferable skills from the other sport;
- 3 The player's record in the other sport which should be of the highest level
- 4 The financial package on offer to the player which should be no less than set out above.

Factors which will not be taken into account for a player from rugby league or other sports are the player's character or work in the community or any other perceived off field benefit.

Opinions or analysis of a player's technical skills or attributes will not be considered other than to support applications for players from outside the sport. However formal season/match statistics may be submitted in support of a Discretionary application and may be taken into consideration if submitted in a format which means that they can be put into context.

Players - Extension and Change of Employer Applications

Extension applications will only be considered for players who currently hold a UK work permit (or a Certificate of Sponsorship) or have previously held a UK work permit, during the last playing season. Where a player has moved clubs (including on loan), the player must have new, leave to enter or remain in the United Kingdom before he can play for his new club.

The player must have played in at least 75% of competitive games (first team games not including friendly games) for his club for the period of the previous permission. Games that were played when the player was on international duty and when they were unavailable for selection through injury (supported by medical evidence) will be excluded from the assessment. For the avoidance of doubt the calculation will be that the number of matches missed by injury shall be deducted from the number of matches the player was available to play in; it will not be assumed that the player would have played in those games if he had been fit eg if there are 20 games in a season and the player plays in 10 and misses 5 through injury he will have played in 10 of the 15 available games a percentage of 66%.

Where a player has played in less than 75% of competitive games a club may apply for a Panel to consider the application on a discretionary basis. In such cases the Panel can take into consideration the player's record prior to playing in this country as set out above and will consider the reasons for the player's failure to achieve 75% of competitive games.

Players - Injuries

Exclusions from selection due to injury will be a factor that is taken into account when applying the requirements both in initial applications and in extensions or changes of employer. Clubs should submit supporting medical evidence in such cases, stipulating the period of injury and the total number of games the player has missed. This evidence should be from the team doctor, or other official medical practitioner, on headed paper.

If the player has missed less than 50% of available games through injury over the last two complete seasons they will be considered for a GBE using the medical evidence provided and the appearance record achieved. Where a player has missed 50% or more games through injury over the last two complete seasons the Panel of RFL Senior Executives will review the

player's previous playing history to ascertain if the player would make a significant contribution to the game.

Players - Trials

GBEs cannot be issued to clubs for the purposes of having players on trial.

2 COACHES

Governing Body Endorsements will only be considered for clubs in Super League or Championships and RLC National.

Coaches - Initial Applications – Non discretionary Requirements

Head coaches must have worked for at least two seasons (one of the last two seasons and one other complete season) at one of the levels set out below. In normal circumstances the RFL will consider the last two complete seasons prior to the application date. However where applications are made in mid season or where there are other relevant reasons the RFL will decide which seasons are to be considered relevant. (See below for discretionary procedures).

- 1 Head Coach - National Team (Tier 1)
- 2 Head Coach - Australian State of Origin (From the states of New South Wales and Queensland only)
- 3 Head Coach - Australian National Rugby League (First grade only)

Note: Endorsements will only be issued for non-EEA coaches to take the Head Coach role. As a club can only have one head coach any applications for other head coaches will not be endorsed. Endorsements will not be issued for assistant coaches or for Player/Coaches.

Note: All overseas coaches will have to register for and undertake the relevant UKCC qualifications on arrival until such time as overseas qualifications satisfy the appropriate UKCC standards as required for that role by the RFL Operational Rules as published from time to time.

Coaches - Initial Applications – Discretionary Requirements

RFL will consider applications for coaches who do not meet the above requirements on an individual discretionary basis. Decisions will be made by a Panel of RFL Senior Executives who will consider written applications from the club concerned. The Panel will give written reasons for their decision. There will be a right of appeal against decisions of the Panel to an independent Panel drawn from the RLPA & Operational Rules Tribunal.

Discretionary approval may be granted to Assistant coaches in the NRL provided that:

- The candidate maps against the UKCC Level 4 qualification to the satisfaction of the RFL Coaching Department in a way that suggests they would achieve the qualification within 2 years
- The candidate maps fully against the Level 3 qualification to the satisfaction of the RFL Coaching Department

- Has been in post or in an equivalent post for at least three years and is working towards UKCC Level 3 (where a coach has been out of post for more than 12 months it is exceeding likely that an application would fail)
- Can demonstrate that they have been second in command in the coaching structure at their NRL club

In all cases it is the responsibility of the club to provide any evidence required by the RFL. The club must also be able to evidence that it has considered the British candidates available for the post and that as part of the job description the Head Coach will be required to mentor British assistants as part of a succession planning process.

Coaches - Extension and Change of Employer Applications

Extension applications will only be considered for coaches who currently hold a UK work permit (or a Certificate of Sponsorship) or have previously held a UK work permit, during the last playing season. Where a coach has been dismissed prior to the expiry of his previous permission a new club must apply under the Discretionary Requirements which will be judged on the coach's achievements both during and before the terminated permission.

Coaches who complete the term of their previous permission will automatically be granted a GBE as will coaches who negotiate a termination of an existing contract prior to its expiry in order to take up a contract at another club.

3 OTHER NON PLAYING ROLES

The RFL will first ask the UK Border Agency to confirm that the role is one which should be considered by the RFL rather than through the Tier 2 (General) category of the Points-Based System. If the UK Border Agency confirms that the role falls under RFL jurisdiction under these rules then the RFL will consider an application for other non playing roles on an individual discretionary basis. The RFL will not endorse applications for individuals where it is considered the application is an attempt to circumvent the requirements in 2 above.

Decisions will be made by a Panel of RFL Senior Executives who will consider written applications from the club concerned which must include full and complete job descriptions. Should permission be granted the RFL will monitor the individual's activities against the job description which has been submitted.

The Panel will give written reasons for their decision. There will be a right of appeal against decisions of the Panel to an independent Panel drawn from the RLPA & Operational Rules Tribunal.

Factors to be taken into account when making a discretionary decision will be:

- 1 The individual's record in Rugby League
- 2 Relevant qualifications held as required by the RFL Operational Rules.
- 3 Relevant experience in a similar job role which should usually be of at least three years
- 4 Where the individual comes from outside the sport whether they bring new knowledge and experience to the game which has the potential to improve the domestic game and have transferable skills.
- 5 The potential impact the individual would have on the competition or the club concerned
- 6 The financial package offered to the individual in particular whether it is compatible with market rates in the UK.

GENERAL CONDITIONS

Advertising (for coaching posts only)

There is no requirement for a resident labour market test for players.

Vacancies for Head Coaches at Super League or Championship clubs must be made public by way of official club press releases or by other means that will ensure that suitably qualified resident workers will be aware of the vacancy.

Vacancies for Head Coaches for RLC National Clubs should be advertised in appropriate media that provides the best way of reaching suitably qualified resident workers allowing four weeks from the date the advertisement appears to the closing date for applications.

Evidence to show that a press release and/or resident labour search as appropriate has been undertaken should be provided. This should include a copy of the press release/advertisement and details of responses. If a club has used alternative recruitment methods they should provide details of why the method was chosen, what they did and the result.

Length of issue for players and coaches

Certificates of Sponsorship can be issued for an initial maximum period of 3 years under Tier 2 (Sport), with a further extension of a maximum period of 2 years possible. If the contract is for less than 3 years, it should be issued for the length of the contract.

Certificates of Sponsorship can be issued for a maximum period of one year under Tier 5 (Sporting). If the contract is for less than one year, it should be issued for the length of the contract.

Salary

The salary is usually agreed as part of the contract between the individual player/coach and employer. This and the other conditions of employment should be at least equal to those normally given to a 'resident worker' for this work. RFL will not endorse an application with a financial package of less than £10,000 pa.

Visas

Receipt of a Certificate of Sponsorship does not guarantee that a player will be granted with a Visa or Leave to Remain. Players and coaches are responsible for obtaining appropriate immigration clearance.

HOW TO APPLY

For an Endorsement

Clubs can apply to become a UK Border Agency licensed sponsor by applying on the appropriate form for an endorsement from the RFL and if that is granted by following the processes set out on the UK Border Agency website.

Clubs must be a UK Border Agency licensed sponsor before applying for an endorsement for a player or coach, all applications must be made on the appropriate form as amended from

time to time which is available on application from the RFL. It is the responsibility of the Club to provide sufficient documentary evidence to support the information on the form which should be submitted to the Operations Department. Non-discretionary applications will usually be processed within 48 hours of receipt. Discretionary applications will be processed as soon as possible and within 14 days of receipt.

The Club will receive a written decision which in the case of applications which have been approved will take the form of a GBE letter including reference numbers to use when applying on line for a Certificate of Sponsorship.

For an Appeal

Applications for appeals must be made in writing to the RFL and will usually be heard within 14 days of receipt subject to availability of a Panel. The RFL will submit detailed written reasons for its decision to the Panel and the Club. There is no charge for an appeal however the Panel can award costs if they believe that the appeal had no reasonable prospects of success.

Further information

These Requirements should be used in conjunction with the appropriate UKBA information when making a Sponsorship Endorsement request.

For more information please contact the RFL Operations Department at:

RFL, Operations Department, Red Hall, Red Hall Lane, LEEDS, LS17 8NB

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