An Open Goal: the ‘Rooney Rule’ for BAME Managers in English Football

Project Report

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Executive Summary

This report assesses the prospects for the Voluntary Recruitment Code (VRC), a new positive action intervention in English football, intended to address the deep and persistent under-representation of black and minority ethnic (BAME) staff in senior positions. Adapted from the 2003 US National Football League’s (NFL) ‘Rooney Rule’, the VRC was piloted in the English Football League (EFL) in the 2016-17 season and made mandatory across all EFL clubs from January 2018 and for all managerial roles from June 2019.

The Code requires clubs to interview at least one BAME candidate for any new senior coaching vacancy. The VRC represents the first regulatory response of the football authorities to the issue of under-representation. Although the potential pool of BAME managerial talent is large, football management remains an insular and volatile occupation, and meritocratic explanations for senior appointments remain pervasive.

Our report explores the potential impact of the VRC on recruitment and selection practices in clubs. It breaks new ground by presenting evidence from club-level stakeholders.

In the first half of our report we review the wider policy debates about diversity management and positive action. We highlight the conceptual confusion inherent within the VRC and identify the Code as an essentially ‘soft’ form of positive action. Although the VRC mandates clubs to guarantee interview opportunities for BAME candidates, the Code is not transparently monitored, nor does it permit quotas, preferential appointments or financial sanctions for breaking the Code. The somewhat confused and soft character of the Code is also illuminated through a comparison with its US counterpart.

In the second half of the report, we explain our research methods and reflect on the extraordinary challenges surrounding access to data in this area. We then present our own data, including questionnaire survey responses from EFL Club Secretaries and case study data from four EFL clubs, based on a small number of informal meetings and formal interviews with senior club staff and industry experts.

We find that, while it is too early to assess whether the VRC is likely to be effective in terms of actually increasing BAME representation in senior club positions, there is evidence to suggest rapid early improvements in recruitment and selection processes in response to industry regulation and Board-level commitment to change. These improvements are selective, however, in that they are largely limited to youth academy and off-field roles in the lower leagues, while higher-profile first-team appointments look likely to remain immune from the VRC and continue to operate separate informal recruitment and selection practices.

We analyse how clubs are at different stages in their adaptation journeys, with varying degrees of readiness and willingness. We also identify a range of industry factors and club-level factors that both enable and constrain the implementation of the VRC going forward.

We conclude that, despite the patchy implementation of the VRC pilot, there are reasons to be optimistic. We assess that, even in this most volatile and unregulated of industry environments, the VRC pilot has helped to create the necessary conditions to embed fairer and more inclusive recruitment practices, and that clubs are willing to be led by the football authorities on this.
Finally, we contend that compulsory BAME-inclusive shortlisting is politically achievable and immediately implementable, even for the most senior coaching roles in clubs. The time is ripe and the English football authorities are missing an ‘open goal’ to embed long-overdue regulation in this culturally and economically important industry.

**Summary of Recommendations**

1. Relaunch the VRC as compulsory ‘Inclusive Shortlisting’
2. Implement transparent ethnic monitoring in coaching recruitment
3. Develop positive incentives for BAME-inclusive management recruiters, such as free coaching training for players
4. Implement a system of negative incentives, including sanctions
5. Commission research into the effect of managerial turnover on club performance
6. Lead a national campaign to change the law to permit ‘threshold selection’

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# Contents

1.0 Introduction ........................................................................................................................................... 7

2.0 Positive Action in Football Management ............................................................................................. 10

2.1 Positive action ........................................................................................................................................ 10

2.2 American Football’s Rooney Rule .......................................................................................................... 11

2.3 English Football’s Voluntary Recruitment Code .................................................................................... 12

2.4 The Voluntary Recruitment Code as a positive action measure ............................................................ 13

3.0 Methods and challenges of access ............................................................................................................. 15

4.0 Findings .................................................................................................................................................. 17

4.1 Current recruitment and selection practices ............................................................................................ 17

4.2 Early responses to the VRC ..................................................................................................................... 20

4.3 Four case studies of adaptation at club level ............................................................................................. 21

4.3.1 The Early Complier (Club 1) .............................................................................................................. 21

4.3.2 The Business Experimenter (Club 2) .................................................................................................. 22

4.3.3 The Diverse Metropolitan Club (Club 3) ............................................................................................ 23

4.3.4 The Values-Driven Club (Club 4) ....................................................................................................... 24

5.0 Analysis .................................................................................................................................................. 26

5.1 Adaptation responses at club level .......................................................................................................... 26

5.2 Contextual factors enabling and constraining adaptation to VRC ......................................................... 27

5.2.1 Enablers at club level ....................................................................................................................... 27

5.2.2 Constraints at club level .................................................................................................................. 28

5.2.3 Enablers at industry level ................................................................................................................ 30

5.2.4 Constraints at industry level .......................................................................................................... 31

5.3 Stakeholder perceptions about the future: from scepticism to pragmatism ............................................. 32

6.0 Conclusions ............................................................................................................................................. 35

7.0 Recommendations to the EFL .................................................................................................................. 36

7.1 Relaunch the VRC as compulsory ‘Inclusive Shortlisting’ ...................................................................... 36

7.2 Implement transparent ethnic monitoring in coaching recruitment ......................................................... 36

7.3 Develop positive incentives for BAME-inclusive management recruiters, such as free coaching .......... 37

training for players ....................................................................................................................................... 37
7.4 Implement a system of negative incentives for Code violations, including sanctions ............... 37
7.5 Commission research into the effect of managerial turnover on club performance .................. 37
7.6 Lead national campaign to change the law to permit ‘threshold selection’ ............................ 37
8.0 References ................................................................................................................................ 39

List of Figures
Figure 1- Responsibilities for recruitment and selection at EFL clubs .................................................. 19
Figure 2- Use of application forms for on-field roles in EFL clubs ....................................................... 20

List of Tables
Table 1- BAME individuals interviewed and appointed among 16 EFL clubs during 2016/17 season . 22
Table 2- VRC adaptation among four case study clubs ........................................................................ 28
Table 3- Enablers and constraints of adaptation to the VRC ................................................................. 28
1.0 Introduction

I certainly believe in a type of Rooney Rule – in legislation that doesn’t give black and ethnic individuals a job but, at least, puts them in the frame.

Chris Hughton, former Brighton and Hove Albion Manager, Guardian interview, 28 April 2017

I’m a big believer that I got this job because I did well at my previous club and that I am the right man for it – that’s why the club has given me the opportunity ... I am black, that’s not going to change. I am proud to be black and that’s also not going to change. That’s how it is.

Jimmy Floyd Hasselbaink on Talksport Radio, 15 December 2015, on his appointment as QPR Manager

The above two quotes, each from well-known black football managers, illustrate the ambivalence with which the English Football League’s (EFL) new positive action measure - the Voluntary Recruitment Code (VRC) aka the ‘Rooney Rule’ - is debated. On the one hand, meritocratic explanations for managerial appointments in football are widespread, and race is dismissed as irrelevant. On the other hand, there is increasing recognition from within the industry that the under-representation of Black, Asian and Minority Ethnic (BAME) people in senior positions has become a serious issue.

The VRC, which requires EFL clubs to interview at least one suitably qualified BAME candidate in any instances in which they operate a recruitment process for a managerial or coaching position in firstteam football, is the football authorities’ main response so far. On the introduction of the VRC, the Chair of the Football Association (FA) Greg Clarke commented:

*It is clear to us that we currently have an under-representation of BAME managers and coaches at club level and it is therefore the right time to take proportionate action to ensure the best talent, from all backgrounds, is given a fair opportunity to enter and progress through the system.* (Greg Clarke quoted in The Independent, 2018)

The under-representation problem is plain to see: nearly a third of professional footballers in England are from BAME backgrounds, while in the 2018/19 season only between five and ten per cent of the 92 first team manager positions in English League football were held by BAME individuals at any one time\(^1\). Moreover, this extreme situation has persisted for decades, and is now carefully

\(^1\) In March 2019, BAME representation among first team managers dropped from to just five per cent as
documented and monitored annually by the Sports People’s Think Tank (SPTT) (SPTT, 2014, 2016, 2017). In 2016, the English football authorities responded to the problem with the piloting of the VRC as a positive action measure. However, the VRC has yet to be thoroughly evaluated, and - against the backdrop of further racism scandals in the game - such an endeavour has become even more pertinent. Recent media coverage of the Football Association’s treatment of England Women’s Eniola Aluko (The Guardian, 2017b) and critical interventions by the England player Raheem Sterling (BBC News, 2018b), have shone a sharp spotlight on the question of what official measures might be able to do to promote greater race equality in the game.

An appraisal of the VRC is also of wider significance. Not only is football an important industry in economic, social and cultural terms, in which the effectiveness of equality, diversion and inclusion initiatives matter (Bradbury, 2011, 2013, 2016; Long & Spracklen, 2011); to explore the impact of the VRC provides a novel contribution to the wider debate about the value and legitimacy of positive action measures in employment practice (McCrudden, 1986; Noon, 2010, 2012; Davies & Robison, 2016). By extension, to assess how the VRC is designed and applied as a positive action measure is also of interest to academic discussions about voluntarism and regulation in human resource management (HRM) practice (Dickens, 1999; Ashley, 2010; Özbilgin & Tatli, 2011). Finally, there are broader policy implications for the success or failure of the VRC, particularly in the light of the recent Parker Review and its recommendations to address the under-representation of BAME individuals on FTSE 500 company boards (Parker, 2017).

In this report, we evaluate the likely effectiveness of the VRC as a positive action measure to recruit a more diverse and representative pool of managerial talent in the industry. Given that the recruitment of coaches and senior staff takes place within clubs, we adopt an organisational-level perspective to explore the impact – both substantive and perceived - of the VRC on stakeholders in clubs and their human resource management practices. We first clarify the VRC’s design through a comparison with the US ‘Rooney Rule’ and a contextualisation within wider concepts of positive action and the regulation of diversity management. We then outline our methods and offer a reflection on the extraordinary challenges in accessing such data. The latter sections of the report present our findings, conclusions and recommendations.

Our data presented include 16 questionnaire survey responses from 72 EFL Club Secretaries and case study data from four EFL clubs, based on 16 interviews or meetings with senior club staff and industry experts. We argue that, despite the lack of immediate direct impact of the VRC on improving BAME representation, particularly with regard to first team management appointments, and despite the conspicuous silence from many stakeholders, there are good reasons to be optimistic. Our main conclusion is that, although still limited and partial in its impact, the VRC has - surprisingly uncontroversially – created the conditions for fairer and more inclusive recruitment

Darren Moore at West Bromwich Albion and Chris Powell at Southend were sacked in the same month (The Telegraph, 2019). This percentage is subject to big and frequent fluctuations, partly due to the small absolute numbers of managerial positions across the four leagues (92), but also due to the volatile industry environment. In the 2017/18 season, the average managerial tenure for all 54 dismissed First Team Managers was 1.18 years (down from 1.84 years among 43 dismissed managers in 2012/13) (LMA, 2018). Nonetheless, the sacking of Moore in March 2019, after less than a year in the role, was considered by many commentators to be particularly unjustified in light of his club’s recent strong performance (a fourth place Championship finish), thereby resurfacing longstanding claims that BAME managers are far more likely than their white peers to be subjected to casual and harsh treatment by club owners (The Guardian, 2019).
practices in the industry, at least outside of the ‘first team bubble’. We therefore recommend much
greater transparency and swift implementation of BAME-inclusive shortlists, surmising that the
football authorities are missing ‘an open goal’ by not taking the opportunity to regulate more
assertively.
2.0 Positive Action in Football Management

2.1 Positive action

Positive action (as opposed to ‘positive discrimination’ or, in the US, ‘affirmative action’) has been observed to take a number of forms. McCrudden’s (1986) five-stage typology, while now somewhat dated, still serves as the most comprehensive description of the range of measures that may fall under the positive action umbrella. Davies and Robison (2016, p. 86) summarise McCrudden’s typology as follows:

- **Eradicating discrimination**: identifying and replacing discriminatory practices;
- **Purposefully inclusionary policies**: facially neutral policies that seek to increase the proportion of members of the disadvantaged group;
- **Outreach programmes**: programmes designed to attract qualified candidates from the previously under-represented or disadvantaged group;
- **Preferential treatment**: plans to reduce the under-representation or disadvantage by introducing what may be called reverse discrimination in favour of members of the disadvantaged group;
- **Redefining merit**: an alteration to the qualifications necessary to do the job by including the protected characteristic as a relevant qualification in order to be able to do the job properly.

McCrudden’s first four types of measures are all permissible under EU Law and the UK’s 2010 Equality Act. The first three types have become reasonably common within diversity management practices over the past decades. Most recently, Section 159 of the 2010 Act changed existing legislation to allow - under certain conditions - for the fourth type, ‘preferential treatment’ (Davies & Robison, 2016). Preferential treatment manifests itself mainly in ‘tie-break’ situations, in which a protected characteristic, such as race or ethnicity, may be used as a selection criterion so long as the conditions of proportionality and equivalency are met (i.e. the measure is proportionate in addressing under-representation at the time, and the candidates in the tie-break are equivalently qualified). Initiatives of the fourth type are rare in practice but some notable examples have been schemes at the Metropolitan Police (which pioneered BAME ‘fast-tracking’ back in the 2000s), BBC, Barclays Group and HMRC (HM Revenue and Customs) (Davies & Robison, 2016).

The fifth type of positive action, ‘redefining merit’, arguably falls under positive discrimination, which is not currently permissible in law (Davies and Robison, 2016). Yet in practice the boundary between positive action and positive discrimination is not clear cut, leading to fears among some of “positive discrimination by stealth” (Noon, 2012, p. 76). The usual objection to positive discrimination is that it could lead to ‘reverse discrimination’ against majority groups (Noon, 2010). Nonetheless there have been several recent calls from senior figures in the Police to change the law to permit positive discrimination, notably following the near-success of the ‘50:50’ recruitment scheme in the Northern Ireland Police Service from 2001-2011, which was aimed at achieving equal proportions of Protestant and Catholic police officers (The Guardian, 2013; Home Affairs Committee,
2016; Personnel Today, 2019). Noon (2012) also argues for positive discrimination, but not through protected characteristic quotas, rather through ‘threshold selection’. This would allow hiring on the basis of protected characteristics, where candidates are similarly (rather than equivalently) qualified, and as a proportionate measure in pursuit of an organisation’s strategic objective to increase workforce diversity.

In summary, McCrudden’s typology is a helpful starting point for conceptualising the VRC as a positive action measure, but it is not unproblematic. As Jewson and Mason (1986) long ago pointed out, equality measures are rarely able to be neatly compartmentalised in practice. Consequently, we argue below that the VRC falls somewhere between McCrudden’s third and fourth types - between outreach and preferential treatment. We go on to argue, however, that a more useful way of characterising the VRC, and therefore perhaps other such contemporary interventions, comes from the American distinction between ‘hard’ and ‘soft’ positive action (Collins, 2007; DuBois, 2016). In order to clarify the type of positive action represented by the VRC, some background context from the US is first required.

2.2 American Football’s Rooney Rule

The US National Football League’s (NFL) 2003 Rooney Rule, which inspired the VRC, takes its name from Dan Rooney, owner of the Pittsburgh Stealers NFL club and the then Chair of the NFL’s Committee on Workplace Diversity. In 2002, the under-representation of African Americans in the NFL was of greater proportions than of BAME managers in English professional football. In the NFL, African Americans accounted for 67 per cent of players but only 6 per cent of head coaches in the NFL (Collins, 2007). In that year, Civil Rights attorneys Johnnie Cochran and Cyrus Mehri presented a report containing 15 years of statistical evidence of under-representation of African Americans in senior coaching positions, including evidence of a higher likelihood of getting fired than their white counterparts. Cochran and Mehri’s report recommended the adoption of a ‘Fair Competition Resolution’ and threatened a class action law suit against NFL franchises unless substantial progress on representation was made (Collins, 2007). NFL club owners responded by unanimously adopting the Rooney Rule. This was a version of the Fair Competition Resolution proposed by Cochran and Mehri, who with other stakeholders went on to form the Fritz Pollard Alliance as a legal entity. The Fritz Pollard Alliance then went on to hold the NFL to account over its implementation of the Rooney Rule.

In its substance, the Rooney Rule required from 2003 each NFL team to interview at least one suitably qualified minority candidate when recruiting for a head coaching vacancy (widened in 2007 to include general manager positions). Also, and in the most significant contrast with the VRC, the Rooney Rule includes financial penalties on NFL franchises for violations, classing such actions as ‘detrimental conduct’ under the NFL constitution and its disciplinary by-laws (Collins, 2007). In terms of its outcomes, the headline figures suggest that the Rooney Rule has been effective in increasing the proportion of senior coaching and managerial staff. For example, between 2007 and 2016, 40 per cent of the 20 NFL teams had a minority ethnic head coach and 50 per cent had either an African American head coach or general manager (McFarlane, 2018). Beneath such headline figures, however, lie much complexity and controversy, along with concerns that overall progress has stalled significantly in recent years (Sando, 2016).
2.3 English Football’s Voluntary Recruitment Code

The VRC is modelled on the US Rooney Rule. There are several similarities but also some important differences in the development, scope and implementation of the two initiatives. In a similar trajectory to the US story, the football authorities in England (and, to a lesser extent, in the rest of the UK) found themselves faced with growing pressure from interest groups such as SPTT, the Professional Footballers Association (PFA) and Kick It Out to take action to address BAME underrepresentation in senior positions.

It is important to appreciate, however, that football clubs in England are divided between the Premier League of 20 clubs, which has its own governance structure, and the EFL which governs the remaining 72 professional clubs across three Leagues (the Championship, League One and League Two). The umbrella organisation is the Football Association, which provides overall governance and the administrative arm for the industry. The board of the Premier League, although it abides by the Football Association’s (FA) Equality, Diversity and Inclusion Plans (FA, 2015a, 2018), has to date resisted any other form of regulation in the area of BAME representation.

It was therefore left to the EFL Board to take the initiative in the lower leagues. The result was the VRC, piloted across ten EFL clubs\(^2\) in the 2016/17 season, under which clubs would commit to interview at least one suitably qualified BAME candidate where they ran a recruitment process for any managerial or coaching position (i.e. those requiring Uefa A or B coaching licences). Such a recruitment process necessarily involved: advertising vacancies on the club and the EFL websites; shortlisting at least one suitably qualified BAME candidate; and maintaining records of the number of BAME applicants and interviewees.

Since its inception the application of the Code has slowly been strengthened. In 2016/17, the VRC had a pilot status (i.e. an experimental project to be reviewed after one season) that applied to both the ten participating clubs for First Team Manager or senior coaching appointments, and across all clubs for the recruitment of new club academy senior coaching positions (such as Youth Team Coach or Academy Director). From the 2017/18 season, the Code was made mandatory for all club academies, and extended on a pilot basis to all first team managerial appointments across all clubs for a further two seasons. In January 2018, the Football Association adopted the VRC for all its senior National Team coaching appointments. Then, in June 2019, the EFL announced the extension of the Code to all first team vacancies on a mandatory basis.

Despite its gradual strengthening over three years, the VRC remains partial and limited, much weaker than the US Rooney Rule. It applies to less than 80 per cent of English professional clubs; all are in the lower leagues. Moreover, the requirement to hold ‘a recruitment process’, to which the Code must be applied, is ill-defined and gives leeway to clubs to avoid the Code, particularly when recruiting internally and at speed during the season. And perhaps most significantly, the lack of penalties or sanctions against violations means that the risks of non-compliance are reputational rather than material. Reputational risks to clubs are also minimised, as the EFL does not monitor the

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\(^2\) The 10 pilot clubs were Accrington Stanley, Birmingham City, Carlisle United, Chesterfield, Fulham, Huddersfield Town, Millwall, Peterborough United, Wigan Athletic and Wolverhampton Wanderers (Wolves).
implementation of the Code in a robust or transparent way (SPTT 2016, 2017), not least because clubs have not been required to provide data on BAME applications and interviewees (except for academy appointments). Indeed, beyond a sparse press release by the EFL in the summer of 2017 (EFL, 2017), there has been next to no publication of data about outcomes related to the Code.

It took a journalistic investigation by Matt Slater of The Independent to reveal the full details of the 2016/17 pilot: namely, that during the 2016/17 season, although four of the ten pilot clubs made senior coaching appointments, the VRC was only applied twice - at Wolves and Coventry on the respective appointments of managers Paul Lambert and Russell Slade (both white). In the same season, the VRC failed to be applied on five occasions - twice at Wolves (on one occasion ironically resulting in the appointment of a black manager, Nuno Espirito Santo), once at Coventry and twice at Birmingham City (The Independent, 2017). This picture contrasts with the first operational year of the Rooney Rule in the US, when Matt Millen, owner of the Detroit Lions franchise, was fined $200,000 by the NFL in 2003 for an inadequate application of the Rooney Rule on his hiring of coach Steve Mariucci. Millen defended his unsuccessful efforts to attract five alternative minority candidates to interview, but these efforts were widely seen (not least by the minority candidates themselves) as ‘sham interviews’ (Collins, 2007). Since 2003, however, no further financial penalties have been imposed on NFL franchises for violations of the Rooney Rule (DuBois, 2016).

Nonetheless, it might be argued that the VRC represents a bold step forward by the EFL. This is in the context of the extreme paucity of positive action initiatives taken in other high-profile UK industries (at least with regard to race). In addition, the EFL has cautiously claimed some success of the VRC pilot, reporting how the pilot clubs operated a formal recruitment process for a third of all new roles that year, that BAME applicants were more than twice as likely to be interviewed than their white counterparts, and that 14 per cent of new senior appointment went to BAME individuals (EFL, 2017). However, the SPTT (2017), while giving some praise to the EFL for their initiative and progress, published figures for the 2016/17 season showing that while overall senior BAME representation (including the Premier League) may at 4.6 per cent have slightly increased on the previous year, this was largely down to the hiring practices of only four clubs in the south east of England (Brighton and Hove Albion, Crystal Palace, Reading and Queens Park Rangers). Moreover, the SPTT highlighted particular weaknesses in the VRC’s monitoring and its stakeholder collaboration (SPTT, 2017).

2.4 The Voluntary Recruitment Code as a positive action measure

To return to the question of VRC’s conceptualisation as a positive action measure: the above contextual detail shows how McCrudden’s fourth type of positive action - preferential treatment - has the closest fit to the VRC; but this is really only by a process of elimination. Although the VRC does not go so far as the fifth type (redefining merit), it amounts to more than the third type (outreach programmes). With respect to the concept of preferential treatment, while the VRC does not strictly allow for tie-break practices, it does contain the potential for BAME candidates to be favoured over white candidates by ringfencing interview places on the basis of ethnicity. With regards to its legality, the VRC easily meets the condition of proportionality, given the extent of the under-representation problem in the industry, and upholds the principle of equivalency, as any BAME candidates interviewed must ‘suitably qualified’. Overall, however, such difficulties in
conceptualising the VRC illustrate how McCrudden’s typology is somewhat restrictive and dated, due to its overly linear nature and recent changes in the law.

The most helpful way of characterising the VRC, and one which captures its voluntarist nature, is to locate it between ‘hard’ to ‘soft’ forms of positive action. The hard-soft distinction derives directly from US academic studies on the Rooney Rule. Such studies are mainly concerned with the Rooney Rule’s effectiveness in terms of increasing diversity, and with its fairness in terms of the relative performance of African American coaches vis-à-vis their white counterparts (Fanning Madden & Ruther, 2011; Solow, Solow, & Walker, 2011; Rider, Wade, Swaminathan, & Schwab, 2016; cited in DuBois, 2016). However, Collins (2007) and DuBois (2016), while also concerned with effectiveness and fairness, pay considerable attention to the conceptualisation of the Rooney Rule. These authors characterise the Rooney Rule as a soft variant of affirmative action, with some hard characteristics. For DuBois (2016, p. 209), hard affirmative action measures – also prohibited under US law – are those that include “direct consideration of minority status during the hiring process” such as quotas or “inflexible goals”; soft affirmative action measures on the other hand - like the Rooney Rule - “are designed to change the composition of the candidate pool, rather than criteria used during the hiring process”. For Collins (2007, p. 889), while overall soft in character, the mandatory element of the Rooney Rule, which requires NFL teams to reserve at least one minority interview slot, “is more typical of ‘hard’ affirmative action”.

We may therefore aptly describe the VRC as soft positive action with a hard edge. The US hard-soft distinction helpfully avoids the somewhat artificial distinctions between outreach, preferential treatment (both of which the VRC contains in its reaching out and reserving of interview places for BAME candidates, as well as arguably containing elements of redefining merit in its promotion of diversity management objectives). The hard-soft distinction also helps to capture both the mandatory but also the sanction-free character of the Code. However, although the hard-soft distinction is analytically neat, there is no perfect hard-soft continuum. Like the hard-soft HRM debate, there are ways in which the distinction over-simplifies and misrepresents the complexities and contradictions of actual practice (Keenoy, 1999; Watson, 2004). There is, for example, no clear sliding scale from sanctions, to quotas, to ringfenced interviews to outreach programmes. Nonetheless, the boundary between hard and soft positive action offers an objective basis that it is concerned with the actual content of mandatory measures (rather than the nuances of discourses or stakeholders’ perceptions of practices associated with critiques of the hard-soft HRM distinction).

Finally, it is also helpful to locate the VRC in its wider and changing institutional context, as provided by Ozbilgin and Tatli’s (2011) ‘map’ of equality and diversity practices. The authors make the important point that the field of equality and diversity is continually contested across the various stakeholder groups and may be subject to slow change over time. Although Ozbilgin and Tatli show how voluntaristic and individualistic discourse has become dominant in recent years, they also demonstrate how more regulationist and collectivistic discourses pose constant challenges to the ways in which equality and diversity practices are enacted. Thus, they argue, may be possible through the altering of structure and agency: on the one hand through changes in the “distribution of power and resources between actors” (structure) and, on the other, through changes in the “differentiated interests, aspirations and improvisations of the actors” (agency) (2011, p. 1228).
This consideration of the conceptual and contextual background to the VRC leads us to an important and under-researched question. The question is not just whether the VRC will ‘work’ in terms of increasing BAME representation, but how it will work on the ground across different types of football clubs (such as in terms of size, ownership, geographical location and demography of the local community). Through its soft-regulatory approach, the VRC signals the altering recruitment practices within clubs, alongside wider changes to introduce inclusion and anti-discrimination practices. But how does this play out among the actors involved? And, given the current balance of structural and agentic forces (Özbilgin & Tatli, 2011) that shape the VRC and the prevailing contingencies within the industry (Dickens, 1999), what are the prospects for change after the pilot period? The rest of the report is devoted to investigating these questions by drawing on new primary research material.

3.0 Methods and challenges of access

In order to explore how clubs are adapting to the introduction of the VRC, and the enabling and constraining factors that may affect prospects for the future, we adopted a sequential mixed methods research strategy (Morse, 1991; Johnson, Onwuegbuzie, & Turner, 2007) with four phases: i. qualitative scoping; ii. a largely quantitative survey; iii. four qualitative case studies; and iv. validation through key stakeholder interviews.

The purpose of this strategy was to use the results of each phase to inform the design of the research instruments for the next phase.

The initial scoping phase involved seven informal meetings with senior stakeholders in the industry including contacts at the EFL, PFA, Kick it Out and four EFL clubs known for their interest in increasing the numbers of BAME managers. The results from this phase were used for conceptual development and to design an online survey, which would assess the validity and generalisability of these initial findings. The online questionnaire was developed and piloted with the head of Human Resources (HR) at an EFL club, whose feedback allowed us to make refinements. The final questionnaire consisted of 16 Likert scale questions relating to HR practices in the clubs, knowledge of the VRC and the ways in which VRC had been implemented. Questions had space for informants to provide further comments if necessary. The survey was emailed to the club secretaries of all 72 football league clubs and elicited 16 completed responses (a 22 per cent response rate), which were roughly evenly distributed across the three EFL leagues (four from the Championship, six from League One, five from League Two and one unknown).

The survey results were then explored in greater detail through four case studies of individual clubs with the aim of interpreting, clarifying, illuminating and validating these results through engagement with rich qualitative data. The initial intention was to use a comparative case study strategy by selecting two case studies from among the ten clubs who were piloting the VRC and compare this with two other clubs; however, access problems rendered this impossible. We therefore decided on a different approach, namely to select critical ‘most likely’ cases (Flyvbjerg, 2006). Four clubs were approached on the basis that, due to their histories of engagement with diverse communities, they
were most likely to exhibit good practice around implementing the VRC guidelines. While these cases were therefore not necessarily typical, which is not necessarily desirable in this type of research (Eisenhardt, 1989), they were chosen on the basis that if these clubs were not exhibiting good practice around the Code, then it would be unlikely that any other clubs were implementing the VRC guidelines. The case studies involved six formal semi-structured interviews with on- and offfield managerial, HR and coaching staff and were undertaken by different members of the threestrong research team. The interviews followed a topic guide to investigate three themes: current recruitment and selection practice in the club; stakeholder experiences of adaptation to the VRC; and perceptions of the VRC’s likely future effectiveness.

The final phase of the research involved two further industry expert interviews to underpin the trustworthiness and authenticity of our findings (Guba & Lincoln, 1994). This involved discussing our findings to assess whether they rang true with stakeholders, and reflecting with them on some of the access challenges that the research team had faced. Interviews were in most cases recorded and transcribed verbatim. Where it was not possible to record the interviews, the interviewers took detailed fieldnotes. In total, we spoke to sixteen stakeholder witnesses to compile our qualitative dataset over all four phases.

Thematic analysis of the qualitative data involved the team in identifying key themes around HR practices in different parts of the clubs, particularly recruitment and staff development, how these practices are changing, the drivers and inhibitors of change, attitudes to voluntary regulation and anticipated future changes. Transcripts and field notes were coded with these themes and crosscase analysis undertaken comparing differences between and within clubs. The project has therefore involved all four of Denzin’s (1978) typology of triangulation: data triangulation (use of a variety of data sources); (b) investigator triangulation (use of different researchers); theory triangulation (use of multiple perspectives and theories to interpret the results); and methodological triangulation (use of multiple methods). This produced a clear convergence of data across all these axes, which we will discuss below.

Before outlining our key findings, however, we reflect on some of the challenges faced in collecting data and the methodological and conceptual implications of this. The research faced considerable obstacles reflecting the sensitivity of the issues involved, the culture in football and an unwillingness to discuss compliance with the Code. Our experience echoes previous attempts in this underresearched area, which also faced ambivalence and limited support from the football authorities. In their research, the SPTT (2016) also complained of a lack of transparency about ethnic monitoring and engagement from the football authorities. Other research has relied on alternative and unorthodox sources of data; for example, Cashmore and Cleland (2011) used a self-selecting survey of fan forums and excerpts from TV documentaries. Our initial plan had been to have the EFL act as action research partners, with them helping to shape the trajectory of the research through participation in the project steering group. However, the EFL contacted all clubs announcing that they were not participating in our research project, pending their own evaluation of the VRC pilot, whilst stating that they had no objection to clubs participating in our research if they so wished. This correspondence did not help our attempts to recruit case study clubs or increase the response rate to the survey.

Our informal meetings with expert witnesses suggested that our research access problems reflected deep-rooted cultural norms in English football, in which stakeholders are unaccustomed to engaging openly with sensitive and politically charged issues such as race. As one expert put it, when faced
with any kind of external scrutiny, “the clubs tend to circle the wagons” [Informal meeting with expert witness]. In addition, the instability of the sector also made research challenging. For example, one participating club, during the 18-month course of the project, experienced two changes in ownership, four changes of manager and a high-profile court case. This led to great difficulty in securing interviews. Indeed, volatility in the sector is an important factor highlighted in our overall analysis below.

Our project nevertheless constitutes a significant achievement in terms of research access. Our search of other published academic research could find no evidence of any qualitative or quantitative data collected from within English football clubs on the issue of BAME representation in managerial positions. As such, our project, containing club-level case studies and survey data, though relatively limited in breadth, represents a notable empirical breakthrough.

4.0 Findings

4.1 Current recruitment and selection practices

Our survey first established the current state of recruitment and selection practice, in terms of which stakeholders were involved in hiring across the different types of roles in EFL clubs (Figure 1).

Figure 1 - Responsibilities for recruitment and selection at EFL clubs

Source: Survey of EFL Club Secretaries, May-November 2017

Figure 1 shows a clear pattern in which the Chief Executive Officer (CEO) and members of the Board of Directors of clubs dominate the selection of senior, on-field appointments. Other stakeholders, such as HR staff, had no involvement in senior appointments in any of the 12 respondent clubs, with
the exception of two clubs, which involved HR in the appointment of its First Team Coach (not First Team Manager) and Head of Coaching.

That the CEO and Board take direct responsibility for the most senior club appointments is not a surprise. As one of our expert witnesses reflected on the processes at his former club:

"There were very few people involved in [managerial appointments] really... And it comes down to very few people... When I think through it, football clubs are often run by very few people without a sort of corporate ethos...

[Interview with former Championship Club Chairman]"

However, as Figure 1 also shows, a ‘more corporate ethos’ did come into play when recruiting even senior roles on the Academy side of the club. The survey indicated greater involvement of other stakeholders such as HR staff not just in, as one would expect, the hiring of off-field and administrative staff, but also in the hiring of the Academy Director, the Under 23 and Under 18 Team Coaches, and Academy Coaches. While this may illustrate the relative lack of interest at Board level in the more junior appointments, it also reflects the greater formalisation required in HR practices Academies, perhaps due to the mandatory application of the Code in this part of clubs, but also more generally due to their more regulated operating environments (namely via their engagement with, for example, schools and community partners and with legal requirements in such areas as child safeguarding).

The limiting of formalised recruitment practices to the Academy side of clubs is further reflected in Figure 2, which shows that the use of job application forms among the respondent clubs were effectively exclusive to Academy appointments, suggesting that informal hiring practices are common in first team appointments.
The other distinctive feature of the informal hiring practices for senior on-field staff concerned the appointment of the first team coaching entourage. 12 out of 16 clubs reported that the First Team Manager simply brought his Assistant First Team Manager with him on being appointed to the club, rather than have them go through a formal hiring process; this was also the case for First Team Coaching staff in eight of the clubs. While it is common, particularly in the higher leagues, for football managers to bring their own backroom coaching team with them to a new club, our survey suggests that the reverse is true for senior Academy appointments and medical/physiotherapy staff, who were brought in by the First Team Manager in only a small minority of cases (three or less clubs).

To further establish the extent of formalisation of recruitment and selection practices in clubs, we asked whether senior on-field staff with hiring responsibilities had undergone training or received support in this area. Only two clubs reported providing training to senior on-field staff in how to hire employees, while five out of 16 reported providing support to senior on-field staff with such
responsibilities. This reinforces a clear picture of widespread informal hiring practices within clubs on the on-field side, with some formalisation on the Academy side.

4.2 Early responses to the VRC

In our survey, we attempted to gauge the extent to which clubs had begun to respond to the VRC. We set our questions within the wider context of equality and diversity issues and the introduction of FA’s recent Club Inclusion and Anti-Discrimination Code of Practice, which encompasses recruitment and selection practices among other aspects of club life.

A large majority of clubs reported high awareness of the FA’s Club Inclusion and Anti-Discrimination Code of Practice, with 11 of the 16 clubs claiming that they had already implemented it. 14 clubs reported having a written equality and/or diversity policy, with over two thirds of clubs claiming that they provided formal training in equality and diversity for both senior on-field and off-field staff. However, only seven reported that they monitored recruitment and selection of staff by race and ethnicity. Given the relative paucity of reported training and monitoring activity, therefore, the robustness of the Code of Practice as an overall measure to address inequality must be called into question.

The survey indicated partial optimism and acceptance by Club Secretaries that the VRC would be effective. Seven of the 16 clubs reported (alongside three “No’s” and five “Don’t knows”) that they thought the VRC had led to changes in their recruitment and selection practices, typically citing that vacancies were now more widely advertised and that selection processes had become more thorough and formalised. Similarly, eight clubs reported that they thought the VRC would lead to greater ethnic diversity in their recruitment.

The survey sought to gauge the actual extent of any tangible change in recruitment practices during the piloting of the VRC. Only four of the 16 clubs reported that roles had been more openly advertised – including specific selection criteria - than would have been before the introduction of the VRC. There had also been minimal but nonetheless arguably significant activity with respect to interviewing and appointing of BAME individuals during the 2016/17 season.

<table>
<thead>
<tr>
<th>Vacancy</th>
<th>BAME individuals interviewed</th>
<th>BAME individuals appointed</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Team Manager</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>First Team Coach</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>Academy Coach</td>
<td>11</td>
<td>4</td>
</tr>
<tr>
<td>Other Off-Field senior roles</td>
<td>9</td>
<td>5</td>
</tr>
<tr>
<td>Other On-Field senior roles</td>
<td>6</td>
<td>5</td>
</tr>
</tbody>
</table>

Table 1- BAME individuals interviewed and appointed among 16 EFL clubs during 2016/17 season
Table 1 shows that there were disproportionately fewer BAME individuals interviewed and appointed for the most senior coaching roles of First Team Manager and First Team Coach. Clearly, it is expected in absolute terms that there should be fewer BAME interviewees and appointees to the most senior coaching roles, given the small number of job vacancies available in total. In relative terms, however, it is notable that BAME individuals were much more likely than in previous national level reports to be appointed after interview to Academy Coach (more than a third of BAME interviewees) and to other senior on-field and off-field roles (well over half of BAME interviewees). Therefore, while it is not possible to generalise confidently from our small, self-selected and self-reporting survey, our results apparently do reflect the overall direction of travel claimed by the EFL (2017), in which BAME individuals are securing senior club roles at a higher rate than in previous seasons. On the other hand, our data reinforce the conclusion of the latest SPTT report (2017), which highlights the paucity of BAME individuals in first team coaching roles, and perhaps their concentration across a small number of clubs, despite the fact that BAME representation may be increasing overall in senior roles outside of the first team.

In summary, the analysis of our survey data allows a rough sketch to emerge of small number of clubs making initial but significant changes to integrate the VRC into their HR practices, as part of a wider inclusion and anti-discrimination agenda. This is manifested in increased formalisation of recruitment and selection practices and the hiring of more BAME individuals to senior roles, particularly to Academy coaching roles but not for first team appointments. This is an important finding that lends some weight to the optimistic speculation of the EFL (2017). For a finer-grained picture of industry adaptation to the VRC, however, it is necessary to explore changes experienced at club level.

4.3 Four case studies of adaptation at club level

4.3.1 The Early Complier (Club 1)

Club 1 is a Championship club in the North of England. Between 2010 and 2017, the club had two new owners – first a local entrepreneur and then an entrepreneur from overseas – and two changes of First Team Manager between 2015 and 2017. The First Team Manager appointed in June 2015 recruited his own first team coaching staff. The owner was based abroad and visited the club only every few months, yet retained tight control over the authorisation of expenditure and operational decisions.

In 2017 the Finance Director hired their first ever HR manager, completely “without explanation”, according to another manager. Thereafter the club started to develop job descriptions and issue equal opportunities-compliant job adverts for its more minor Academy and Community vacancies. Information from the FA about inclusion and anti-discrimination, and from the EFL about the VRC, were considered Academy and Community matters so passed down from the Club Secretary to an Academy manager to deal with. Keen to comply with the new regulations, the Academy Manager responsible started to develop formal job descriptions and equal opportunities-compliant job adverts for all new Academy and scouting roles, but had not thought about how to implement
BAME-inclusive interview shortlists. He had shared his newly developed recruitment and selection documentation with the club’s newly appointed HR manager, but had no confidence that these were being adapted or adopted for use with vacancies in other parts of the club.

Club 1 is aptly characterised as an ‘Early Complier’. The club’s management was aware of the VRC, if not enthusiastic about it. Starting from a low base, with a long history of informal hiring practices, the club had taken measures to formalise some of its recruitment processes on its Academy and community-outreach side, which was however already the most regulated part of the club, and far removed from first team activity. In summary, the club took some initial steps to formalise its practices so that it could eventually start to comply with the VRC, but it was a long off implementing BAME-inclusive shortlists for senior positions, and showed little sign of a solid trajectory in this direction.

4.3.2 The Business Experimenter (Club 2)

Club 2 is a League One club in the English Midlands. Between 2015 and 2017, the club had two changes in ownership – first by a local consortium then an overseas consortium - and four changes of manager. Simultaneously the club was involved in a high-profile court case. The CEO was appointed by the last but one owner, having previously served for several years at the club’s finance director. Unusually for football club CEOs, he was a qualified accountant by profession. Supported by a small management team in the general running of the club, the CEO nonetheless took sole managerial and operational responsibility for HR matters and all senior appointments.

The club had relatively formalised recruitment and selection processes for its off-field vacancies, in that it had begun to openly advertise vacancies, produce job description and person specification documentation and require formal applications from candidates. With regard to senior on-field appointments, however, the CEO remarked that management and coaching positions were still appointed on a “jobs for the boys” basis. This was not a situation that the CEO was happy with. He related, for example, that recently the club had hurriedly appointed and subsequently sacked their First Team Coach and his entire backroom staff. This led, the CEO said, to asking himself: “Would reaching out to a wider pool of talent, and consideration of a greater selection of CVs, have resulted in a more successful appointment?” He therefore resolved to implement the VRC at the next available opportunity, namely for the forthcoming Academy Manager vacancy, ensuring a fully formalised recruitment and selection process including an interview panel and a BAME-inclusive shortlist. He would the roll out the same procedures across the club, including for senior first team vacancies. Over the course of the next 18 months, one of the club’s four First Team Managers was a BAME individual. Although the recruitment pool diversified, therefore, frequent managerial changes meant that the new recruitment processes did not in themselves lead to greater stability.

Club 2 may be aptly characterised as a ‘Business Experimenter’. Already partially formalised in its recruitment and selection processes, the CEO went beyond regulatory compliance and embraced the business case for the VRC in an effort to secure improved long-term organisational performance for the club. The CEO saw the VRC as a commercial opportunity to implement more professional recruitment and selection processes across the club and disrupt longstanding informal hiring practices by insisting on the consideration of a wider managerial talent pool. The approach remained
experimental, however, as the desired longer-term improvements in sustained club performance were yet to materialise.

4.3.3 The Diverse Metropolitan Club (Club 3)
Club 3 is a Championship club in London. Owned by a complex and frequently changing combination of international shareholders between 2010 and 2017, the club had five changes of First Team Manager between 2015 and 2017. The club’s wider management team was however more stable. The Directors and the CEO, who had a sporting and events management professional background outside of football, were supported by a longstanding, on-field technical team including a Director of Football, Head of Coaching and Goalkeeping Coach, who oversaw the work of the First Team Manager, Assistant Manager and Assistant Coach as well as a fully staffed Academy operation. The club also had had a full time and professionally qualified HR manager in post for several years. BAME individuals were strongly represented in the club’s leadership team.

Following the advice of the HR manager, with the direct support of the CEO, the club had implemented formalised recruitment and selection procedures across the club, both for on- and offfield appointments. Managers with vacancies in their areas of the club were required to work with the HR Manager to develop full documentation and seek authorisation from the Director of Finance before advertising vacancies. Appointments to permanent roles were subject to shortlisting and interview processes with HR oversight. The formalised approach to recruitment and selection had been gradually implemented over the past two years and represented a marked change to previous hiring practices, which as the Director of Football described as being “like The Wild West, with everybody coming and going and doing their own thing”. Nonetheless, the club had not yet applied, nor – given its already strong BAME representation at senior levels – did the leadership see any reason to apply the VRC in terms of guaranteeing BAME-inclusive shortlists, preferring the view, as the CEO remarked, that “it was all just about getting the right person for the job, regardless of colour”. Moreover, with respect to appointing First Team Managers, there was evidence that formal HR procedures had been adhered to in only a minority of cases; instead this process had been the preserve of a small group of directors who acted suddenly and in secrecy. On the other hand, all new First Team Managers themselves faced formal hiring constraints in terms of appointing their first team coaching entourage, in that they had to accept the club’s existing technical staff such as the Goalkeeping Coach and the Heads of Medical Services and Physiotherapy, as overseen by the Director of Football.

With regard to the VRC, Club 3 may be aptly characterised as a Diverse Metropolitan club, with few adaptation challenges. Partly due its size and wealth, but also as a consequence of strategic choice, the club already had well developed formal recruitment and selection practices, so was in a strong position to comply with the VRC when necessary, despite the ambivalence of its leadership team about this area of regulation. The already strong BAME representation at senior levels was rooted in the club’s multicultural and metropolitan history and professional network; the leadership team therefore tended to explain the unusual diversity of its management team as no more than a system of appointment based on merit, while also promoting a close-knit, family-like club culture. Were the strong BAME representation within the management team to suddenly disappear, however, the question remained as to whether the club’s leadership would then change its attitude towards
BAME-inclusive shortlisting for the First Team Manager role or continue to view the VRC as unnecessary.

4.3.4 The Values-Driven Club (Club 4)

Club 4 is a Championship club in South East of England. The club has had the same majority shareholder and Chairman, a local entrepreneur, since 2009. The club’s Chief Executive was appointed in 2012, with a previous career at director level both in football administration and corporate business. The First Team Manager was appointed in 2014 and remained in post beyond 2017. He was supported by both an Assistant Manager and a First Team Coach, along with Goalkeeping Coaches both for the First Team and the Youth Team. The club had large, fully-staffed Academy and community outreach operations and, since 2010, a full time HR manager and a five full time-equivalent person HR team. The club had significant BAME representation at senior levels. Several stakeholders described the club as having a humble, hardworking culture that was exemplified in the “down-to-earth” behaviour of the individuals in the leadership team.

The club had formalised recruitment and selection procedures across the club, both for on- and off-field appointments. Managers with vacancies in their areas of the club were required to work with the HR Manager to develop full documentation and seek authorisation before going out to advert. Except for casual catering staff at the stadium on match-days, the recruitment for which was outsourced to an agency, all staff were in-sourced and on the club payroll. The HR team had begun to be proactive in reaching out through social media and other channels to attract unconventional applicants to club vacancies beyond the immediate world of football. Appointments to permanent roles were subject to shortlisting and selection processes with HR involvement. Selection processes were varied and combined according to the specific roles, including presentations, interviews and observed ‘tracksuit sessions’ for on-field positions. However, the HR manager conceded that their strict recruitment and selection procedures were not always followed inside the “first team bubble” and for some senior specialist appointments, such as in Performance Analysis, where appointments had sometimes been fast-tracked with less oversight by HR. Nonetheless, all candidates, including the First Team Manager, were said to have been “put through [their] paces” in the form of performing several selection stages.

Equality and diversity awareness was promoted in the club from the CEO downwards as a strategic priority. Notably, employees’ performance bonuses were contingent on being up-to-date with completion of equality, diversity and inclusion training (encompassing the full range of protected characteristics) at annual performance reviews. The club had also begun to implement the VRC by ensuring BAME-inclusive shortlists. Reflecting on the surprisingly smooth process of compliance, the HR manager related:

I haven’t heard anything negative come back from the team. No one has come back saying “Oh my God, it’s a nightmare”. I can hear they’re checking… [M]ore often than not it’s a question of checking to see if anyone [a BAME applicant] has fallen outside of the shortlist that should be factored into it … And generally it comes back as “No, there are no issues”. (Interview with HR Manager, Club 4)
There was no evidence, however, that the club had begun to monitor its implementation of the VRC and its possible effects on the diversity of recruitment.

Club 4 may be aptly characterised as a ‘Values-Driven Club’, which adapted easily to the introduction of the VRC. The lack of adaptation difficulties was by virtue partly of the club’s size and wealth, enabling the recruitment of a professional HR team, and partly of the relative cultural diversity of the labour supply in England’s South East, thereby increasing the opportunity for BAME individuals to be recruited at most levels within the organisation. However, the relatively seamless adoption of the VRC was mainly the product of strategic choice. Driven by a set of diversity-positive and outward-looking leadership values, and backed up by investment in developing and enforcing professionalised HR practices, the VRC was integrated quite naturally into the club’s recruitment and selection processes. Questions remained, however, around the limits of the VRC in terms of its potential enforcement within the ‘First Team Bubble’ and the rigour with which its compliance and effects would be monitored and evaluated across the club.
5.0 Analysis

5.1 Adaptation responses at club level

Our findings suggest that there is a range of adaptation responses across EFL clubs. Firstly, the questionnaire survey results suggested that, through a process of greater formalisation of recruitment and selection, particularly on the Academy side, clubs were beginning to develop processes that might then allow BAME-inclusive shortlisting to be implemented. Secondly, the case studies suggested that clubs are likely to be at various stages of adaptation to the VRC, partly driven by strategic choice as well as by efforts to achieve regulatory compliance.

The case of Club 1, the ‘Early Complier’, provides some detail within the bigger picture suggested by the questionnaire results. Of our four cases, Club 1 may be reasonably expected to be the most typical of other clubs across the leagues. It represents a club at the beginning of its adaptation journey, having taken some minimal yet easily reversible compliance measures in the most stable and lowest-profile, off-field parts of the organisation, though without the support or interest of the organisation’s leadership. Clubs 2, 3 and 4 then represent progressively stronger cases of adaptation and are likely to be more exceptional within the industry.

On the other hand, when we consider strategic preference, Club 3 ‘the Diverse Metropolitan’ – while relatively advanced in terms of its ability to implement the VRC – has arguably more in common with Club 1 than with does Club 4. Although the leadership of Club 3 expressed pride in its culturally-diverse history and, like Club 4, had invested in a relatively professionalised HR function, it had, like Club 1, little enthusiasm for the VRC, which it regarded as an unnecessary regulatory burden; so Club 3’s ability to comply was incidental rather than of preference. At the same time, Club 2 may be argued to have the most in common with Club 4; although it was less advanced in terms of its readiness to comply with the VRC, and driven by commercial rather than values-based imperatives, Club 2’s efforts to adapt to the VRC were, like Club 4, motivated by a strategic intention to diversify the managerial talent pool.

Our four cases therefore illustrate various adaptation responses depending on the relative strength of a club’s compliance-readiness (i.e. ability) and strategic preference (i.e. willingness) for BAMEinclusive shortlists. The four observed response combinations are represented in Table 2.

<table>
<thead>
<tr>
<th>Compliance-readiness (ability)</th>
<th>Strategic preference for BAME-inclusive shortlists (willingness)</th>
</tr>
</thead>
<tbody>
<tr>
<td>High</td>
<td>High</td>
</tr>
<tr>
<td>Full Adaptation</td>
<td>Club 4 – The Values-Driven Club</td>
</tr>
<tr>
<td>Low</td>
<td>Club 2 – The Business Experimenter</td>
</tr>
<tr>
<td></td>
<td>Club 3 – The Diverse Metropolitan Club</td>
</tr>
<tr>
<td></td>
<td>Club 1 – The Early Complier</td>
</tr>
<tr>
<td></td>
<td>No adaptation</td>
</tr>
</tbody>
</table>
5.2 Contextual factors enabling and constraining adaptation to VRC

Comparative analysis across the cases also suggests a range of contextual factors, both internal (i.e. at club level) and external (i.e. at industry level), that serve either to enable or constrain adaptation to the VRC. These contextual factors are summarised in Table 3.

<table>
<thead>
<tr>
<th>Table 3- Enablers and constraints of adaptation to the VRC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enablers</td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>Club level</td>
</tr>
<tr>
<td><strong>Enablers</strong></td>
</tr>
<tr>
<td>Professionalisation of HR</td>
</tr>
<tr>
<td>Committed leadership and active outreach</td>
</tr>
<tr>
<td>Academisation and regulation</td>
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<tr>
<td>Non-football industry influences</td>
</tr>
</tbody>
</table>

5.2.1 Enablers at club level

Professionalisation of HR

At club-level, the factor that most enables adaptation to the VRC (and which is itself partly enabled by the VRC) is the extent to which recruitment and selection, and the HR function generally, is professionalised. This is not necessarily to say that clubs are only able to implement the VRC by employing a full-time qualified HR professional, which would be unrealistic for smaller clubs. However, the leadership’s decision to follow best practices in recruitment and selection, with or without an employing a HR professional, is integral to the club’s capability to introduce BAMEinclusive shortlists. This is because proper implementation of the VRC necessarily requires the public advertising of vacancies and the use of objective, criterion-based shortlisting (with reference to job descriptions and person specification documentation, ideally accompanied by standardised application forms, either on paper or online).

The new EFL requirement for clubs, born out of the VRC, to advertise all senior coaching vacancies on its website has provided an important impetus for the formalising of recruitment processes and a moving away from the practices of informal hiring by personal networks and referral (see also the discussion of Academisation and Regulation under industry-level factors below). However, clubs that take further advice on best HR practice enable themselves to adapt to the VRC with greater ease. The development and employment of a qualified HR professional, if only on a part-time basis, further enables clubs to implement best practices, not only in recruitment, but also in selection.
(such as criterion-based interviews and selection tests), training, development, succession-planning, compensation, leadership and around anti-discrimination and inclusion more generally. In short, while the VRC requires clubs to part-formalise its recruitment practices, adaptation is only fully enabled internally through a professionalised approach to recruitment and selection and to HR processes generally, not just to the advertising of vacancies on the EFL website and the production of minimal accompanying job description documentation.

Committed leadership and active outreach

Alongside a professionalised approach to HR, the other key internal factor that enables adaptation is the nature of club leadership - specifically the extent to which it is committed to diversity in its management and a generally outward-looking approach. As we have seen, the most weakly adapted clubs are likely to treat the VRC as an interference and a compliance issue, so they confine its implementation to the lowest-profile roles possible, such as Academy Coach or Community Trust appointments, well away from the First Team Bubble. Stronger adaptation, however, requires the senior leadership to treat industry initiatives such as the VRC as part and parcel of a wider professionalisation agenda and/or diversity-positive culture in the club. Such a committed leadership approach enables BAME-inclusive shortlisting to be perceived as acceptable across the club and therefore to be rolled out beyond the club’s Academy and/or Community Trust to other parts of the organisation, including senior on-field appointments. Similarly, if the leadership team has an outward-looking approach that seeks to promote the club as an active partner in its local community, as well as a player in a national and/or global industry, then it is also more likely to try to reach out to under-represented communities when advertising job vacancies. In other words, BAME-inclusive shortlists are more likely to be achieved if a club is actively seeking to attract applications from a diverse pool of candidates, which in turn is made easier if the club is already engaged in active outreach activity, for example through its Community Trust programmes.

5.2.2 Constraints at club level

First Team Bubble

Although many clubs may be willing and able to comply with the VRC for Academy coaching vacancies, the general reluctance to formalise processes for the hiring of first team senior coaching staff remains a major constraint on progress towards better BAME representation. Even at the ‘values-driven club’ in our study there was no evidence of the VRC really penetrating the First Team Bubble by properly extending formal recruitment and selection procedures into this part of the organisation. It seems that clubs generally do conduct interviews for senior first team appointments; at best, however, these seem to serve as a confirmatory stage of the process rather than a crucial selection tool; at worst they are simply symbolic and for appearances’ sake. In other words, HR’s influence does not extend into the ‘bubble’, leaving the oversight of senior first team appointments to small groups of Directors who, in the words of one club HR director, “on the football side, ... bring people in through the back door” [Interview with HR Director, Club 3]. To illustrate this further, a former Club Chairman described his experience of the highly informal nature of the managerial candidate-search process following the sacking of the latest incumbent:
[The Club Directors] sit round in a room ... [and say] “who are we gonna get now”? ... [L]ike a crowd of football fans, sat round... [Y]ou’re always watching. You’re always asking when you see a club certainly coming up and they go: “That manager, what’s his name?” And most clubs are doing that and you can pick ‘em. [Interview with former Championship Club Chairman]

Crisis-management / managerial merry-go-round

The ad hoc and opaque nature of senior first team appointments is to some extent understandable, given the short-termist, league table results-driven nature of the industry, internal sensitivities and the media and fan interest surrounding incumbent managers who may be facing the sack. However, the typical crisis-management response leads clubs to perpetuate the necessarily white, male and middle-aged ‘managerial merry-go-round’. This is an oft-observed situation in which a small group of practising managers - estimated by The Guardian (2017a) to be about 30 per cent of available coaches in the UK, though now widening to also include EU-based coaches - are regularly sacked then re-hired by competitor clubs, apparently on the basis of the length of their experience and historical successes, rather than on their recent performance or future potential. As one of our interviewees put it:

> it’s bizarre that you can get sacked from one job and then move straight into another one. So if you’re not very good at your job, how come you end up with another great job with a great pay packet and bonuses at another club? [Interview with Communities Manager, Club 4]

Club Directors clearly fear that instability in the first team coaching staff will damage the club’s short-term results. They therefore tend to default to recruiting from the managerial merry-go-round, and reject a professional approach to making appointments involving longer timescales and greater transparency. While engaging in the merry-go-round, Club Directors typically promote the Assistant First Team Manager or Youth Team Manager to temporary ‘caretaker manager’, while informal replacement candidate-searching takes place in time for the next bi-annual, month-long player-hiring ‘transfer window’ and/or the next season. In many cases the caretaker manager will serve an informal probation period, but only in exceptional and often protracted cases is the caretaker manager offered the permanent role. Over the longer-term, a minority of larger clubs try to mitigate the perceived damage of short-term instability by creating a parallel on-field structure: they appoint longer-term Technical Directors and on-field technical teams separately from first team coaching appointments, which they accept as an inevitably volatile and unregulated environment. The technical staff therefore oversee the longer-term development of the club’s players and on-field strategy, including the Academy and sub-teams, while the first team coaching staff concentrate almost exclusively on first team team-selections and match performance.

There is, however, no evidence that either the short-term caretaker approach or the longer-term and more expensive Technical Team approach has any impact on either protecting or improving the on-field performance of the first team. There are no published studies (as performed, for example, on NFL results in the US) that measure the the impact of first team managerial changes on team performance (although the BBC recently made a foray into this area in its analysis of the performance of former England players as managers (BBC News, 2018a)). Instead, there are many
anecdotal examples of sudden, informally arranged managerial appointments which demonstrate either no improvement or even a negative impact on team performance. Conversely, there are also many anecdotal examples of caretaker managers being associated with better team performance than both their predecessors and successors. But there are few if any examples of the potential impact of a mid-way strategy: namely, to internally promote a caretaker manager from among the First Team Assistant Manager or sub-team managers (roles in which BAME representation tends to be higher (SPTT, 2017)), during which time a confidential but open and formalised process takes place to appoint a new permanent First Team Manager. In short, by refusing to professionalise recruitment processes for senior on-field appointments, and protecting the ‘first team bubble’, clubs are making a politically expedient choice, neither destined by circumstances nor guided by evidence.

5.2.3 Enablers at industry level

Academisation and Regulation

Going beyond the individual club level, the most important industry-level factor for enabling the implementation of the VRC is the growth of regulated Academies and Community Trusts, which is accompanied by increased industry regulation around anti-discrimination and inclusion. Since the introduction of the Elite Player Performance Plan in 2012/13 to boost and re-regulate young player development across the leagues, Academies have become increasingly important to clubs for the internal recruitment and sale of players (Deloitte UK, 2018). This process of ‘academisation’ in the industry may be said to have had an important enabling effect for the VRC, as it has allowed a number of new equality regulations in football to be introduced “through the back door” (in the words of one of our expert witnesses). Over the years, clubs have therefore become relatively accustomed to adapting to regulation in their Academy and Community Trust operations, given the more regulated operating environments that come with working with minors and vulnerable clients through schools, colleges and community partners and with registered charity status. Similarly, as the most outward-facing parts of football clubs, Academies and Community Trusts are typically the first parts of the organisation to engage with the FA’s new codes of practice around antidiscrimination and inclusion and diverse local talent pools more generally.

Academies therefore likely to be the most influential sources of professionalised employment practices and workforce diversification in clubs. Moreover, through their player-development functions, academies have a connection with clubs’ on-field business, especially if directly involved with technical staff teams in larger clubs. This relatively high organisational status may facilitate the diffusion of formalised recruitment and selection practices from Academies across the organisation, including for first team-related appointments - from the back door through to the front door, as it were. Ultimately, however, the transferability of practices will depend on the degree to which the Club Directors value and place credibility on their Academy operation.

Non-football executive influences

Parallel to the influence of academisation and related industry regulation appears to be the enabling effect of those executives in clubs, and in industry bodies more generally, who come from
nonfootball management backgrounds. We have less evidence to support this claim, but it may well be significant that in our examples of more strongly adapted clubs (Clubs 2-4), the chief executives concerned had professional experience from accountancy and/or on corporate business boards. Arguably, chief executives with such prior exposure to more strongly regulated and professional environments may be expected to be either more willing or able to influence their organisations to adopt formalised recruitment and selection procedures so that they are in a stronger position than others to integrate a new requirement for BAME-inclusive shortlists if desired or required. Similarly, at industry level, the external provision of board-level training for former players seeking to go into football management and administration, such as the PFA’s ‘On The Board’ programme, may have an additional enabling effect in terms of encouraging high-level adoption of more formal practices in clubs.

5.2.4 Constraints at industry level

Changes in club ownership

Perhaps the most insoluble constraint on adaptation to the VRC is the volatility in club ownership, which has undoubtedly increased in recent years, including the growing influence of international investors. The basic problem for the VRC is that professional HR management requires long-term investment and planning in organisations; but HR management is often treated in organisations as a second- or third-order issue, well below those of market performance, finance and operations for example (Grugulis, 2007). Therefore the difficulties of placing and keeping HR matters high up on the strategic agenda - let alone soft regulation around matters of race-diversity which tend to be perceived as sensitive and non-obligatory and so are more easily avoided – are exacerbated during periods of uncertainty and change caused by transfers of ownership and the changes of senior club personnel that inevitably accompany them.

In football, changes of club ownership have become more frequent in the past few years, with much of this activity driven by takeover bids, notably from South East Asia. Indeed, the football authorities have recently been moved to tighten up industry rules around ownership and directorships due to concerns about the increase in attempted foreign takeovers of clubs (Financial Times, 2017). Increased volatility and disruption happened at the same time as clubs are being asked to implement the VRC. The difficulties of adaption are likely to be further compounded by the arrival of new owners from abroad, who may be expected to have little experience or affinity with the practice of BAME-inclusive shortlisting, a practice hitherto almost exclusive to the US and new even for the UK. In the day-to-day, often chaotic reality of club life, it is not hard to see how compliance with codes such as the VRC may be delayed and postponed year after year, until clubs’ management structures and processes settle into some kind stability or they are forced to by sudden intervention by the authorities.

Non-metropolitan demographics

It is almost certainly no accident that the two case study clubs with the greatest readiness – if not willingness – to adapt to the VRC (i.e. Clubs 3 and 4) were large clubs in London and the South East.
Not only do such clubs have the resources to run professional recruitment and selection processes, they are also more likely to have easy access to recruits from the most culturally diverse and integrated areas of the country. We therefore have to accept that smaller clubs in less diverse and integrated areas of the country are likely to take longer to adapt, both practically and culturally, to BAME-inclusive shortlisting, and that non-metropolitan demographics may be a significant constraint on the universal implementation of the VRC.

There is, however, nothing inevitable about the difficulties of clubs in non-metropolitan areas to attract BAME managerial candidates. Recent examples such as Sol Campbell at Macclesfield, Chris Powell at both Derby and Southend, Keith Curle at both Carlisle and Northampton – and more latterly those of Paul Ince at both Milton Keynes and Blackpool and Leroy Rosenior at Torquay - all demonstrate that the appointment of BAME individuals to First Team Manager roles are not so unusual outside of the larger clubs in the country’s main cities. Moreover, at any one time in England, there is a significant source of qualified BAME managerial talent likely to seeking coaching opportunities. According to SPTT (2016), nearly ten per cent of those undertaking the European industry-standard UEFA coaching qualifications are from BAME backgrounds, although the FA has refused to reveal ethnic monitoring statistics on its coaching qualifications since 2016. Judging therefore by the last available UEFA statistics on qualified coaches in England (UEFA, 2013) (which incidentally pale into insignificance in terms of overall numbers when compared to European counterparts such as Spain and Germany), the absolute numbers of BAME individuals with UEFA Aqualification may be estimated at around 100, with 10-20 holding the highest-tier ‘Pro’ license. These figures may in fact be significantly higher since the introduction of the FA’s BAME Coaching Bursary Scheme in 2012, which sponsored 168 BAME coaches at various levels between 2012 and 2015, 18 per cent of whom were reported to have secured either part- or full-time employment in the industry (FA, 2015b).

In summary, although smaller clubs in non-metropolitan areas may be less accustomed to recruiting from among the BAME community, recent experience suggests that, at managerial level, the talent is available and willing to be employed by them. Case 1 and Case 2 also suggest that operational compliance with the VRC, while more difficult among smaller clubs, is not beyond their reach if the leadership chooses to prioritise the professionalisation of recruitment processes. This external constraint is therefore more regional-cultural rather than structural.

5.3 Stakeholder perceptions about the future: from scepticism to pragmatism

In addition to the above analysis of internal and external factors affecting adaptation to the VRC, the sum combination of our questionnaire survey, case study and industry expert interviews enabled us to gauge stakeholders’ general perceptions about the VRC and its future prospects. Mindful that our questionnaire respondents and interviewees from case study clubs and industry experts were largely self-selecting and therefore perhaps unusual in their positive interest in race diversity matters, we were not surprised to find an absence of direct hostility to the VRC among our respondents. But neither did we find outright enthusiasm for it. Instead, we observed a narrower continuum: at its most negative end, we observed scepticism; in the middle, we observed qualified defence; at the most positive end, we observed pragmatic acceptance.
Most stakeholders appeared to be at the sceptical end, perhaps reflecting the infancy of the VRC and its relative unfamiliarity in clubs. Several interviewees doubted whether the VRC would make any difference to BAME representation and whether it would be taken seriously in the industry as more than mere tokenism; this was a view expressed even by club stakeholders who were generally supportive of the reasons for its introduction. The HR Manager at Club 3, herself a BAME individual, was typical of this position in the way that her support was combined with scepticism and a commonsense default to meritocratic discourse:

I think it will be difficult, if we’re talking about football, it will be difficult for some clubs to ensure that they have a cross-section of applicants, just down to their demographics. It’s a good thing ... [but] being of an ethnic background ... it’s tokenism to somebody like me if I’m being completely honest. Again, for me it should purely be about the requirement of the role, [and] is this the best person for the job regardless of appearance? [Interview with HR Manager, Club 3]

Mid-way towards the more positive end, the VRC tended to be celebrated as a regrettably necessary measure but nonetheless remained contested. This more conflicted position was exemplified by the Communities Manager at Club 4, who expressed both scepticism and hope for the take-up of the VRC, while also demonstrating the difficulty of publicly defending the measure, despite her own experience telling her that intervention was justified.

The cynic in me says ‘no’ [the VRC won’t be successful]. The optimist in me says ‘yes’... [P]eople are not educated enough to understand why it’s necessary and the intricacies of it ... I’m married, my husband is black, he played football, he is now an A-licensed coach, he works in the women’s arena. I’m biased because I think he’s a very good coach and all the rest of it [but] why isn’t he in a more senior position? It’s that kind of thing I feel like I see a lot of because of him but then I’m biased because obviously he’s my husband... [T]he Rooney Rule is ... an opportunity to look wider, to make sure that you are inclusive in the processes that you set up. And it’s making people aware; it’s an awareness opportunity that will then hopefully produce something tangible, and things will change. [Interview with Communities Manager, Club 4]

At the most positive end, necessarily observable in only those clubs which were already implementing the VRC, was a pragmatic acceptance. Within this position, the ideological argument has already been won in the HR arena, thus leaving its implementation as an accepted part of the club’s operational business. The Academy Manager at Club 4 exemplified such a pragmatic position in his matter-of-fact description of a club practice that combined a meritocratic approach with a positive action procedure, underpinned by his club values:

If we were to just look through CVs etc. you wouldn’t know people’s background or ethnicity. So you just go on what you think are the best people. Obviously we have a new process now where you do interview BAME candidates; if we haven’t got any in the original list. But I think we respect any differences, any difference in cultures that staff or players might have. It’s a very respectful working environment. It’s a very open working environment...We’re open really. [Interview with Academy Manager, Club 4]

The above-described, remarkably moderate continuum of perceptions of the VRC at club level suggests to us that influential stakeholders might be persuadable of both the legitimacy and practicability of BAME-inclusive shortlisting. On our evidence, a country-wide, EFL-led
VRC implementation programme, that was positive and sustained but also sensitive to different stages of readiness among clubs, appears eminently politically achievable.
6.0 Conclusions

We have characterised the VRC as a ‘soft positive action measure with a hard edge’. While it is now officially mandatory, it has no published monitoring or related sanctions regime. Moreover, the VRC is easily avoided by clubs who are free to make opaque and unauditable claims that they have received no applications from suitably qualified BAME individuals. In the 2016/17 pilot, only one third of new appointments were reported to have involved a formal recruitment process, there were only two known instances in which the VRC has been implemented when making First Team Manager appointments, and there have been many more instances in which the Code seems to have been simply ignored without fear of reproach. The most prestigious and high-profile part of the game, the Premier League, remains untouched by the VRC. The only on-field area in which the VRC appears to have been at least partially implemented is Academy coaching appointments, where HR processes tend to be more formalised and there have been monitoring and reporting requirements since 2016. If a new norm is emerging, it appears to be one of ‘dual HR systems’, in which highly unregulated recruitment practices exist in the elite echelons of first team management and the Premier League, while coexisting with partially regulated practices in the lower-league Academies and off-field organisational functions.

The overall national picture therefore appears bleak and unpromising for advocates of the VRC. However, our study does provide some grounds for optimism. Albeit among a largely self-selecting sample, we observed – partly as a response to the VRC - a slowly increasing professionalisation of recruitment processes in clubs, which is a necessary underpinning for the introduction of BAMEinclusive shortlisting. We also observed at club level varying mixtures of willingness and ability to adapt to the implementation of the VRC. We recognise that the widespread adoption of the Code would face considerable constraints: internally due to the tolerance within clubs of a First Team Bubble and an overall preference for crisis-management; and externally due to a volatile operating environment combined with a metropolitan bias inherent to the national industry. Yet we also recognise how some club leadership teams are making a strategic choice to prioritise diversity, fairness and transparency, in tandem with the greater regulation brought about by the growth of Academies and other professionalising influences in the industry.

We therefore conclude that the footballing authorities are facing an open goal. We assess that, with additional HR-specialist advice, clubs could quite easily implement BAME-inclusive shortlisting and transfer Academies’ more formalised systems across their organisations. We also believe, on the question of ‘hearts and minds’, that clubs are generally ready to be led in this area. At worst, we found scepticism and caution towards the VRC among club stakeholders. These negative forces could, we argue, be overcome through renewed, positive leadership from the EFL, particularly at a time of heightened public concern about racism in the contemporary game. The EFL may have to confront some resistant Club Directors, but our research has shown that it would be possible to showcase good practices and values-driven approaches in other clubs in order influence a critical mass to follow. The EFL should also have an ally in the FA, the national administrative arm and backroom of the industry, which has already adopted the VRC across its own organisation (but has yet to apply it to the Premier League).

Our overall assessment is that successful implementation of the VRC is not only an ethical imperative but also quite achievable and within the gift of the EFL. The full adaptation process will however require a relaunch accompanied by a mixture of carrots and bigger sticks. In terms of a relaunch, the
EFL would need to rebrand the initiative to remove the voluntary element and promote it under a new name, perhaps as ‘inclusive shortlisting’. In terms of new positive incentives, the EFL would do well to research and mimic successful recognition schemes, either from other industries or internationally, that would not just celebrate BAME-inclusive management-recruiters but go beyond reputational rewards to provide substantial rewards that are genuinely valued by Club Directors. Rewards with financial value, for example in the form of free, club-based investments in additional coaching training - accessible to players of all backgrounds - might well be fruitful: but the EFL would best need to consult clubs on what they would value most. Negative incentives will also be symbolically and practically important to introduce alongside the positive incentives. If the EFL is to be serious about improving BAME representation in management, then at the very minimum it has to commit to transparency and insist on the collection, reporting and publishing of ethnic monitoring data in recruitment (as should the FA with regard to its BAME coaching bursary scheme). In addition, the EFL, like the NFL, will then also need to introduce substantial financial sanctions and/or even league table points-deductions for blatant contraventions of the Code. As long called for by the Chair of Kick it Out, and as the US experience shows, even the threats of such sanctions should be effective, as clubs seek to avoid reputational damage.

Football occupies a position of important cultural and economic significance in the UK, and the general public have become keenly attuned to the issue of racism in the contemporary game. The footballing authorities not only have the responsibility to urgently tackle the glaring underrepresentation problem in their industry; they also an opportunity to show bold leadership in British society by actively promoting BAME talent into the highest-level, on-field roles so that experienced and committed former players can go on to perform a central practical role in the game as well as adding immeasurable symbolic and ambassadorial value. The responsibility and opportunity facing the football authorities is analogous to that of the Metropolitan Police at the turn of Century, when they succeeded in securing a step-change in the law that would allow positive action measures for the fast-tracking of BAME police office recruits. A similar step-change is now required to normalise the practice of BAME-inclusive shortlisting. The EFL has shown commendable courage thus far: it should now embed the progress made and lead the way forward.

7.0 Recommendations to the EFL

7.1 Relaunch the VRC as compulsory ‘Inclusive Shortlisting’

We recommend that the VRC be relaunched across all clubs in Season 2020/21 as a new measure, perhaps called ‘Inclusive Shortlisting’. The new measure should be treated as a compulsory industry standard. Through its launch campaign, the EFL should seek and invite clubs to highlight examples of existing good practice in Academies and clubs, including how they have integrated the VRC into their mainstream recruitment and selection processes.

7.2 Implement transparent ethnic monitoring in coaching recruitment
To be meaningful and enforceable, the new measure has to be accompanied by a robust, GDPR-compliant and transparent system of reporting and ethnic monitoring of coaching bursaries, training, qualifications and appointments. The EFL will need to collaborate with the FA on this.

7.3 Develop positive incentives for BAME-inclusive management recruiters, such as free coaching training for players

To incentivise clubs to embrace the new measure as universally good for the game, the EFL should develop and promote a set of substantial, tangible rewards for BAME-inclusive management recruiters. This would probably be most effectively devised through consultation with clubs, but we suggest that an appropriate approach could be to give free, additional resources directly to clubs to host coaching training, accessible to all their registered players, not targeted at any ethnicity. Such an initiative should be EFL-led but could be a joint project involving stakeholders such as the FA, PFA and Kick It Out, and would also be positive opportunity to engage the Premier League around the general issue, while giving a badly-needed boost to participation in coaching education more generally.

7.4 Implement a system of negative incentives for Code violations, including sanctions

The EFL should propose, agree and implement a system of sanctions for contravention of BAME-inclusive shortlisting, including financial penalties and/or league table points-deductions. Although regrettable, this may be the single most important measure to ensure that inclusive shortlisting is taken seriously by Club Directors.

7.5 Commission research into the effect of managerial turnover on club performance

As part of a longer-term effort to win hearts and minds for a professionalised approach to recruitment, the EFL should commission research into the impact of short-term managerial instability on long-term league performance. Specifically, the EFL should seek a systematic study of how changes in First Team and Assistant Managers may have either positively or negatively impacted longer-term league table positions, including consideration of the annual timing of managerial sackings. Additionally, the study could investigate the performance of caretaker managers and the relationship to offers of permanent appointments. The results of the study should provide useful evidence to assist Club Directors in their longer-term HR planning.

7.6 Lead national campaign to change the law to permit ‘threshold selection’
The EFL should take the initiative on a campaign to change the law through an EU law derogation to permit positive discrimination in the form of threshold selection. This would enable particularly clubs in culturally diverse areas to include BAME status as strategically important selection criterion in senior appointments. Such a campaign should find allies in other high-profile and community-facing sectors such as policing.
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