

INFORMATION FOR PARENTS/CARERS ON THE ROLE OF AN INTERMEDIARY



THIS IS A GUIDE FOR PARENTS/CARERS OF YOUNG PEOPLE PLAYING FOOTBALL.

Children and young people and their parents and carers should have access to the information to make informed choices and decisions about their future. This guide provides information for parents/carers of young people who play football on the role of an intermediary in Scottish football.

This document does not advocate the requirement of an intermediary for young people.

INTRODUCTION

Choosing the right intermediary can influence the young person's future success in the game. Parents/carers play a crucial role in supporting the young person to make the right choice on whether to appoint an intermediary and, if they choose to do so, selecting who is the right intermediary for them.

An intermediary is not essential to support a young person's football career. However, if you think that it is right for your child to have an intermediary representing them then this guide will give you information on the questions to ask and things to consider before selecting an intermediary.

WHAT DO YOU NEED TO KNOW?

- 1/ WHAT IS AN INTERMEDIARY?
- 2/ RIGHTS OF THE YOUNG PERSON
- 3/ POTENTIAL RISKS
- 4/ QUALITIES AND EXPERIENCE
- 5/ KNOW WHAT QUESTIONS TO ASK
- 6/ MAKING YOUR DECISION TO APPOINT REPRESENTATION FROM AN INTERMEDIARY



NOTHING
MATTERS
MORE



1/ WHAT IS AN INTERMEDIARY?

Intermediaries are more commonly known as 'football agents'. An intermediary is someone who may be able to support your child when they are ready to sign a registration with a club, renew their registration with their current club, or to sign a contract of employment (contracts of employment will only apply to young people aged 16 and over).

When signing a contract you may wish to seek independent legal advice and engage the services of a solicitor. You can do this either in addition to using an intermediary or instead of using an intermediary. There is likely to be a cost associated with getting independent legal advice.

2/ RIGHTS OF THE YOUNG PERSON

All children and young people have rights. Rights are legal, social or ethical principles. Regulations are the rules as directed by the governing body for football in Scotland, the Scottish FA.

Things to note:

- A player under the age of 18 years may terminate their contract with an intermediary without the intermediary's agreement by giving a 3 month notice period; and
- An agreement cannot last more than 2 years — look out for agreements which include a clause that automatically extends the contract at the end of the 2 years.

3/ POTENTIAL RISKS

Risk is a part of everyday life but if we consider in advance the things that may go wrong we can be prepared to manage the risks. This list sets out some of the risks you should be aware of when instructing an intermediary:

- Lack of experience leading to bad advice and missed opportunities;
- Economic exploitation; gaining unfavourable and disproportionate fees;
- No wellbeing safeguarding standards in practice; abusing a position of power and trust;
- Unnecessary and unwanted pressure to influence decision making;
- Lack of responsibility and due diligence

4/ QUALITY AND EXPERIENCE

Qualities and experience you should look out for when searching for the right intermediary:

- Able to provide sound financial advice;
- Experience and knowledge of contractual agreements;
- An understanding of development plans for elite Academy players.
- Professional reputation that will allow them to introduce the young player to football playing opportunities that supports the young person's development to the next level;
- Able to work collaboratively with the young person and their club to solve any immediate problems or negative issues that may arise both on and off the pitch;
- Have an understanding of wellbeing and respect children's rights;
- Consider the best interest of the young person;
- Be reliable and dependable in supporting the relationships of young person, parent/carer and club.



**NOTHING
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MORE**

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KNOW THE QUESTIONS TO ASK

Questions to consider asking an intermediary before entering into any agreement with them in order to make an informed choice.

Experience and knowledge

What experience do they have in supporting the professional development of players?

Intermediaries should support the young person to make decisions that will progress their football career both short term and long term. This means they should have knowledge and experience on the professional development of players.

What experience does the intermediary have of representing others with their contract negotiations?

Ask the intermediary for information of their experience in negotiating contracts and registrations.

What experience does the intermediary have in managing commercial deals?

This will ensure the most appropriate and best deal for the individual young player.

Does the intermediary have any skills, training of professional standards in representing as an intermediary?

The intermediary may have qualifications which they gained prior to de-regulation in 2015. Ask the intermediary if they have these qualifications as this may demonstrate and provide evidence of a well informed and experienced intermediary.

Does the intermediary know and abide by the Scottish FA, English FA and/or any other governing FA's rules?

Intermediaries must be compliant with rules as this may affect a young person's playing career.

Does the intermediary have an awareness, understanding and recognition of his/her responsibility to safeguard wellbeing of the young player?

Demonstration or evidence of this could be through completion of e-learning or other education and will give confidence that he/she will know how to support the young person, or who to contact if anything compromises the young person's wellbeing in any way.

Terms of contracts and agreements

What level of contact can be expected on a day to day or weekly basis between the young person and/or their parent/carer and an intermediary and will the parent/carer always be included in this communication?

This will help lay down the foundations and manage expectations of the service which will be provided.

Should I also sign the Representation Contract?

Yes, the legal guardian of young person should also carefully read and sign the contract. If you are unsure about signing a Representative Contract then you are entitled to seek legal advice on the contract before signing. Make sure that you are also aware of any fee for the legal advice. There is no regulatory need to sign a representative contract with an intermediary until an employment contract is being negotiated.

What fee/charge can you expect to pay to be represented?

A young person will not be required to make certain payments to an intermediary before they have reached the age of 18 years old. It is important to read any agreement before signing with an intermediary to be clear as to when the intermediary will charge their fee and what the fee will cover. The Scottish FA Regulations on Working with Intermediaries states that any fee should be no more than 3% of the young person's total salary over the duration of the employment contract.

How long will the contract run?

It should never be longer than 2 years but may be renewed if the service provided has been satisfactory and you wish to continue. Look out for clauses which automatically extends the contract at the end of the 2 year period.

6/

THE BIG DECISION

Making your decision may be daunting but by taking the time to ask the right questions, speaking to others to get references and testimonials and discussing the decision with the young person will hopefully help you support your child to make the right choice for them.

Don't be afraid to ask questions and get to know potential intermediaries. It will lay the foundations for the future and a positive outcome for your child. Appointing an intermediary is something that you can have control of but if you need support, don't be afraid to ask a trusted source.

*A contract is a legally binding document that may be enforceable by law and you should go in eyes wide open.

And one final point; always remember that an intermediary is there for the young person, to support the young person and their family and the intermediary should reflect your standards; values, beliefs and attitude. The intermediary acts for your child and their wishes should be acted on by the intermediary not the other way around.

Questions to ask others before appointing an intermediary:

What experience does the intermediary have of representing others with their contract negotiations?

Asking for references from other players, clubs and family and friends may be a good idea.

Does the intermediary have a positive reputation with football clubs?

Asking for testimonials or references from a club/s is a good way to find out more about the reputation and experience of the intermediary.

WHERE TO FIND FURTHER INFORMATION

PFA — For further information see PFA Scotland
<https://pfascotland.co.uk/Advice/Intermediaries/>



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