

# *LCP's response to the Independent Football Regulator's consultation on Information Gathering and Enforcement*

**3 October 2025**

*This document sets out LCP's response to the Independent Football Regulator's consultation on Information Gathering and Enforcement published on 4 September 2025.*

## **Who We Are**

LCP is a global firm of financial, regulatory, actuarial and business consultants, specialising in the sports industry (providing both analytics and advisory services), as well as pensions, investment, insurance, energy, health and business analytics. We have around 1,200 employees, including over 190 partners.

## **Executive Summary**

LCP welcomes the opportunity to respond to the Independent Football Regulator's consultation on Information Gathering and Enforcement processes.

LCP is supportive of the IFR's commitment to improving the financial sustainability of men's football in England, whilst providing adequate cultural and heritage protections for the sport. The introduction of the IFR provides an opportunity for the football industry to proactively engage with the financial and cultural challenges within football, whilst continuing to support the game's domestic and international economic value.

We are happy for LCP to be named as a respondent to the consultation and happy for our response to be in the public domain. We are happy for you to reference our comments in any response.

## **Responses to consultation questions**

**Q1. Do you have any comments on the IFR's approach to using its information gathering powers set out in Part A of the draft guidance?**

### **Impact Assessment on Method and Cost of Information Gathering**

The IFR's information gathering proposals cover two types of information. These are:

- i. Information on limited liability companies, in the form of football clubs
- ii. Personal information pertaining to current and prospective owners, directors and employees of football clubs

Whilst there is clarity on what information the IFR will require, challenges faced by other UK regulators show that it is equally critical for regulatory guidance to outline:

- i. Methodology for gathering information
- ii. The cost of gathering information for the IFR

The IFR should, for example, seek to avoid the recent challenges faced by, for example, the Financial Conduct Authority (FCA). [Two independent reviews in 2020](#) outlined serious ‘supervisory failures’ by the FCA, fuelled by ineffective data gathering processes.

The unsuitability of these processes was also reflected in [prior concerns raised by small businesses](#), on the burdensome nature of submitting information to the FCA.

The IFR should be mindful of these regulatory challenges, and seek to build on the establishment of what information it will need, by outlining how it will seek to acquire such information in an efficient and cost-effective manner.

Given these examples and experiences, LCP recommends the IFR conduct an impact assessment, investigating potential best practices for information gathering, and estimating the overall cost of these processes. An effective understanding of both of these areas will help both the IFR and its regulated clubs.

## **Q2. Are there any aspects you think are missing from Part A of the draft guidance?**

### **‘Explicit’ Reasoning for Personal Data Collection**

As part of the IFR’s information gathering process, it will need to gather personal information on current and prospective owners, directors and employees of football clubs. In particular, the ‘Non-Financial Resources’ provisions set out as part of the club licensing regime outline the requirement for clubs to submit personal information current and prospective owners, directors and employees. The level of personal detail that the IFR will require is more rigorous than previous regimes.

Under Schedule 4, Section 3, Subsection (b) of the Football Governance Act, for example, it is stated that the IFR may have regard to

*the qualifications, experience, training and performance of the club’s owners and officers.*

This being the case, the IFR will need to be mindful of Chapter 2, Section 36, Subsection 1 of the Data Protection Act 2018. This stipulates:

- a) *the law enforcement purpose for which personal data is collected on any occasion must be specified, explicit and legitimate, and*
- b) *personal data so collected must not be processed in a manner that is incompatible with the purpose for which it was collected.*

The Information Commissioner’s Office (ICO) offers guidance as to the meaning of the terms ‘specified’, ‘explicit’ and ‘legitimate’. Under this guidance, purpose is ‘specified’ if the body is:

*“clear from the outset about why you are collecting personal data and what you intend to do with it. You must identify your purposes and include them in your privacy information for individuals.”*

Additionally, the purpose is “explicit” if there if the body has been:

*“clear and open with individuals from the start about how you will use their data”*

Finally, the purpose is “legitimate” if it:

*“is one which is lawful, necessary and proportionate in the circumstances. You must not deceive or mislead individuals about how you will use their data.”*

In relation to the powers given to the IFR by the Football Governance Act, and the guidance drafted on the collection of information, it has clearly been stipulated that the collection of data relating to the “qualifications, experience, training and performance” of club directors and employees will be used to fit into the IFR’s club licensing regime, and form part of the IFR’s analysis in grant/refusing clubs with Provisional and/or Full Operating Licences. This being the case, the collection of such information should, prima facie, be considered legitimate.

However, neither the draft guidance (nor the Football Governance Act) specify how the personal data used will be fed into the club licensing regime, in what manner that will form part the IFR’s decision-making, and why it is relevant to the wider club licensing regime.

As a result, the purpose for the collection of this data risks not being deemed as “explicit”. Research has shown that the collection of such data would, however, be of significance, and beneficial to the IFR. A [University of Manchester Study](#) found that, during the 2023/2024 football season, 12 out of 20 clubs competing in the Premier League have at least 10% of their holdings that cannot be formally traced back to their beneficial owners.

The IFR’s purpose has been stated to at least partially be to prevent the manifestation of owners deemed inadequate to oversee clubs. This being the case, the collection of data relating to, for example, training and experience, is significant.

Accordingly, LCP would propose that the manner in which the personal data that is collected will be used is explicitly outlined in the guidance from the IFR.

**Q3 - Do you have any comments on the IFR’s approach to using its investigation and enforcement powers set out in Part B of the draft guidance?**

No comments.

**Q4 - Are there any aspects that you think are missing from Part B of the draft guidance?**

**Basic Benchmarking in Relation to Enforcement**

The draft guidance has outlined that the IFR’s enforcement will largely be conducted on a “case-by-case” basis. This, as is outlined, will involve considerations of some key principles, to include:

- i. The potential (deterrence or other) benefits of enforcement action

ii. The alternative means of driving compliance and remediation that may be available (including through the actions of other bodies)

However, given the current regulatory climate within the football industry, and the IFR being subject to potential judicial review, we believe the guidance should consider setting some standardised metrics/benchmarks against which enforcement will be utilised.

Recent trends within the football industry have seen regulators come under increased challenge and scrutiny from regulated bodies. Significantly, these have included [successful challenges](#) to governing bodies, such as FIFA and UEFA, with allegations made including ‘abuse of dominant position’ and unfair/uneven enforcement of their regulation. In 2023, for example, UEFA was compelled to rewrite regulations on competition restrictions, following a [ruling of unfair enforcement](#) by the European Court of Justice. This included outlining greater specificity on the enforcement of regulations.

Given this climate, and the availability of a wide range of potential sanctions to the IFR, LCP recommends supporting the case-by-case analysis through clear benchmarks and criteria.

There may, for example, be some value outlining what would constitute a breach of adequate fan engagement/consultation practices, or provide guidance as to expectations within financial plans. These should also be proportionate to reflect the level at which the club is competing.

#### Q5 - Do you have any other comments on the draft guidance?

No other comments.

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