

## **Memorandum of Understanding**

### **West Ham United FC and West Ham United Independent Supporters' Committee**

#### **Definition**

“The Supporters’ Committee” is the body established by West Ham United’s supporters according to the terms of this document.

“The Club Board” is the Board of Directors of West Ham United FC.

#### **Purpose of the Supporters’ Committee**

#### **Mandate**

The purpose of the West Ham United Independent Supporters’ Committee (ISC) is to strengthen the relationship between West Ham United FC, West Ham United supporters and supporters’ groups, and to ensure the Club actively consults with supporters and takes their views into account at all levels of decision making. The aim of the ISC is to assist the Club to make decisions that are in the best interests of the West Ham United supporter base.

The Committee is a construct whose make up has been defined independently of the club by founding members representing the following WHUFC fan groups:

- West Ham United Official Supporters Club
- West Ham United Supporters’ Trust
- Inclusive Irons
- Pride Of Irons
- Hammers United
- Any Old Irons
- West Ham United Bond Holders
- West Ham United Disabled Supporters Board

Each of these groups will be considered as founding members but also accept the terms of representation defined. A new ISC term will begin each season and committee members for the season coming season will be determined following the guidelines. No founding member is guaranteed a place on the committee for perpetuity.

The remit of the ISC is to cover topics which reach across the fanbase, but also recognise that each group may have topics they wish to discuss in detail that may not be of interest to all members. Equally, it is recognised that West Ham United has a responsibility to consult and engage the wider fanbase through its multiple channels of supporter engagement. The Club also has a duty to communicate with groups that represent other demographics of the fanbase such as, but not limited to, the Junior Supporters’ Board, Club London members and West Ham United Women’s Official Supporters’ Board. As such, each founding member group believe that the Committee is just one level of supporter engagement that should exist with the club and it is expected that the Club will continue dialogue with fan groups and have regard to the FSA’s suggested engagement process.

The founding members have determined that for the ISC to be effective and for these members to continue to support its existence then founding members expect that the Club should also pursue direct structured dialogue with any ISC member that requests it. The reason for this is that some supporter groups may have specific interest topics that are best addressed directly with club staff, rather than appear as an ISC agenda item.

The Club is committed to positive, constructive and co-operative engagement with the ISC at all times, but it is also expected that member groups of the ISC will also engage with the Club in a positive, constructive and co-operative manner. Both the Club and all ISC member groups agree to acting in accordance with the Code of Conduct (contained in the Supporter Representation Guide), Equality and Diversity Statement (found at the end of this document), and are committed to a constructive agenda. The Club and ISC member groups agree to act with respect towards any representatives of Club personnel and ISC members at all times. Both parties reserve the right to review the terms of agreement if any of these factors are called into disrepute.

## **Scope**

The Supporters' Committee will provide a regular channel of communication and consultation between the Club and its fan/community base, in addition to the Club's other channels of supporter engagement. It is designed to be inclusive and to represent the full demographic range of the Club's supporter base, to whom the ISC and the Club are accountable.

The Supporters' Committee should be consulted on a wide range of matters relevant to fans, examples are covered in this MOU albeit topics are not limited to those listed.

The Supporters Committee will expect the club to provide relevant staff to cover the agreed agenda topics at each meeting and may on occasion request the attendance of relevant stakeholders.

## **The Supporters' Committee's agenda**

These will include, but are not confined to:

- Club stability and sustainability for the benefit of current and future generations (including the Club's strategic vision and objectives, short, medium and long-term plans, and proposals for supporters' investment)
- West Ham United FC financial and operational performance, where information is in the public domain. Both this and the above bullet will pay consideration to information that is in the public domain, there is no expectation of the club to present business confidential financial data albeit this may be something the Club decide to do at times.
- The matchday experience of home supporters and Season Ticket holders, travelling and geographically distant supporters, the fans of visiting clubs, and supporters travelling to away games
- The Club's Ticket pricing policy
- Away travel and matchday experience
- Stadium catering and matchday hospitality
- Contact between the Club and supporters, including external supporter communications
- Volunteering opportunities at the Club involving supporters; scheduling of Club/fan events, such as Fans' Committees and player appearances; joint exploration of opportunities and ideas for marketing campaigns (including Season Ticket offers)
- Proposals for developing and growing the Club's fanbase
- Encouragement of the use of Club facilities by supporters' groups

- Community engagement, and contacts with local institutions (e.g. schools), local communities and community groups
- Youth development & Academy strategy
- Relations with Newham Council, charities and other public bodies
- Protection and promotion of West Ham United heritage
- Consultation over heritage changes
- Matchday stewarding

**Information the ISC request to be shared and/or consulted on, subject to confidentiality agreements.**

This will include, but is not confined to:

- Consultation on Club colours and kit designs
- Significant changes to matchday arrangements that have an impact on match-going fans
- Fund-raising for special projects
- Joint events such as Open Days or Community Days
- Events organised by fans or supporters' organisations
- Matters related to marketing, merchandising and sponsorship .
- Discussions with public bodies that would impact supporters.
- Stadium issues and plans that would impact supporters.

Further, it is recognised that this refers to information that is in the public domain. There is no expectation of the Club to present business confidential financial data albeit this may be something the Club decides to do at times.

**Suggested issues for mandatory consultation:**

'Mandatory consultation' includes those matters that it believes the Club should recognise why engagement of the ISC is crucial to ensure success. The ISC consider these of such importance that it strongly encourages the Club to consult the Committee in discussions regarding these matters.

Although the ISC recognise that it must develop a trusted relationship with the club, it would have to consider its own value should it become clear that the Club were unwilling to consult in these key areas.

These include:

- Key heritage matters to include any changes being considered to Club name, colours, crest and kit designs;
- Any changes being considered in relation to the Club brand
- Items that significantly impact fans in relation to matchday arrangements.
- Significant changes to pricing, format, terms and conditions and availability of tickets, both matchday and season

**Issues excluded from discussion**

The Supporters' Committee will not be concerned with team matters such as player recruitment or selection, or the details of personal employment contracts entered by the Club. Further it recognises the privacy of personnel contracts and the negotiation thereof.

However, where a change in football management has taken place the Club will endeavour to inform the Supporters' Committee and answer questions as soon as practical.

## **Chair**

The Supporters' Committee will be chaired by a Chair who will be elected on an annual basis. The ISC recognise and appreciate the offer of support of that Chair by a staff member of the FSA, an offer which it will discuss on formation.

The Chair will be supported by a Vice-Chair also elected on an annual basis, the Vice-Chair will be expected to stand in if the Chair is absent or conflicted on a specific item.

## **Meetings**

The Supporters' Committee, including supporter representatives and supporters' groups, will schedule no less than four annual meetings at appropriate times relating to the playing season. In addition, all supporters' groups and sub-committees shall meet with the Club's Head of Supporter Services and any other appropriate members of the senior management team, at relevant points to be decided throughout the season. Regularity of all meetings to be agreed by both ISC and the club.

Both parties agree to:

- Meet a minimum of four times a year.
- Agree a constructive agenda and goals to be achieved.
- Sharing agenda items in a timely manner, circulating sufficient supporting information to be read ahead of the meeting.
- Respect that some items may be sensitive and deemed confidential, the confidentiality of such items will be governed by the Confidentiality Policy.
- Ensure the meeting is 'structured' so that any topics that either party wants to discuss can be done so in an appropriate environment.
- Plan ISC meeting dates for the upcoming year and make every effort to stick to those original dates.
- Aim to plan subcommittee meetings at least one week in advance at dates suitable to all.
- Respect the Chair and the role of their position.
- Respect all members of the ISC, including no negative or abusive social media or public comments regarding specific members or the groups they represent.

## **Minutes**

A minute taker will be agreed by all parties with actions clearly laid out in the minutes and reviewed at each meeting, following the agenda. Draft minutes will be circulated to attendees within 3 working days of the meeting taking place, with deadline for comments within 3 working days from that point. A summary report will be agreed by all parties and published online no later than 7-10 days from the date of the meeting alongside a copy of the minutes. Individuals should not publish any details of the meeting prior to that point.

Should any items within the meeting be deemed as confidential these will be redacted from the published version of the minutes( as per confidentiality policy).

## **Membership**

The membership of the Supporters' Committee is structured with an aim of representing a broad cross section of WHUFC supporters in conjunction with the Club's other channels of supporter engagement although, to aid constructive discussion, is limited to a maximum of 14 representatives.

Supporters' groups will be represented on the Supporters' Committee, each will democratically elect their own representative during the close season, by their own means. To aid continuity the founding members stated above will each hold a place for the first year of the Committee. In addition a representative will be elected from:

- Away season ticket holders
- Claret members

Following the initial year of operation membership of group will be as determined in the Supporter Representation Guide.

The club commit to paying an independent election specialist company to run all elections and accept that the ISC must provide its approval of the company selected. Further the club accepts that the Football Supporters Association (FSA) will have prominent branding associated with the election process and in return the FSA will provide a scrutineer to oversee all elections.

It is acknowledged that the relationship between the Club and ISC must be received as credible and representative of the West Ham United fanbase. All groups on the ISC aspire to operate in line with the democratic principles and governance set out by the FSA for their affiliate, associate and individual members. This may include a democratic election process, surveying of members, and publishing documents such as minutes of their committee meetings, accounts, and any other business as defined by the FSA.

### **Term of Office**

Each democratically-elected supporter representative will hold their position on the Supporters' Committee for two football seasons. The elected Chair will be annually elected at the start of each season. Supporters groups will nominate their representatives at the start of each season.

There is no restriction on the number of times a representative can be re-selected.

### **Sub-Committees**

The Supporters' Committee has the power to form and dissolve Sub-Committees as required. The members of Sub-Committees are typically nominated/elected from the Committee, however, in special circumstances it may be that the Committee wish to include others from outside should they have particular skills or experience. In addition, it is expected that the Club will allocate appropriate staff to each sub-committee, dependent on the topics covered and their role in the Club. Sub-Committee meetings will meet as and when required and typically ahead of Committee meetings where they will present ideas/proposals, and updates. Sub-Committee topics will be determined by the Committee.

- Each subgroup must contain a minimum of four and a maximum of six ISC members.
- The subgroup ISC members must elect a Chair and Vice Chair for each subgroup
- Each subgroup Chair/Vice Chair will be responsible to report back to the monthly ISC meeting and the ISC/Club meetings.
- All subgroup meetings must be supported by an agenda and minutes. All subgroup minutes must be distributed to those ISC members who are not in attendance or members of that subgroup, once agreed by the sub-committee.
- Should a subgroup have a vacancy, each ISC member on the subgroup may nominate another representative (non ISC member) from their respective Supporters Group. Each ISC nominee must be voted by and agreed by a majority of the ISC subgroup members. It should be noted

that non ISC subgroup members is not able to participate if a subgroup vote is deemed necessary.

- Any variation from the above must be sanctioned on an exceptional basis by the ISC. Any approved exceptions can be revisited at any time by the ISC should and ISC member request such a review.

Memo: 'ISC members' refer to the Supporter Group representatives (currently 8) and 'non ISC member' to an agreed co-opted supporter group representative.

### **Recommendations and decision-making**

Recommendations and actions will be discussed and agreed between both parties during meetings. Agreed actions will be recorded in the minutes and reported on at the next meeting.

The aim of the meeting should always be to try and make decisions by consensus. Where consensus agreement is not possible, the Chair may decide to call a vote. The Supporters' Committee must recognise that the Club is not bound to act on the outcome of these votes, albeit it is expected to take note of the outcome and use that in any considerations.

### **Confidentiality**

A major objective of the Supporters' Committee is to improve the flow of information between the Club and its supporters. This must however occur on the basis of mutual trust. Any matter offered by any member of the Supporters' Committee on a confidential basis will be governed by the Confidentiality Policy. For the committee to be effective members must respect each other, their views, any collective decisions made and recognise items flagged as confidential (as per confidentiality policy)

### **Amending the Memorandum of Understanding**

The Memorandum of Understanding may be revised by the parties upon consensus of any suggested changes by either party.

Should any changes to the make-up of the ISC occur, the Club/ISC relationship, including the MOU and Terms of Agreement, will be reviewed accordingly.

### **Equality and diversity statement**

West Ham United Football Club (the Club) and the Independent Supporters' Committee (ISC) is committed to promoting equality by treating people fairly and with respect; and by providing equal access and opportunities for all supporter representatives. Both the Club and ISC members will not tolerate abusive behaviour or discrimination in any form. Both parties will work together to celebrate equality and diversity at West Ham United. The ISC is designed to be inclusive, providing a representation of a broad demographic of fans, welcoming the views and opinions of all Hammers supporters.

Respecting all members of the ISC, including no negative or abusive social media or public comments regarding specific members or the groups they represent.