

Professional Sportsmen and Women in the Army (AGAI Vol 3 Chapter 111)

Introduction

References:

- A. JS DCI 130/00
- B. ALM 1976

1. This instruction is similar in content to Reference A but seeks to explain the process in more detail, and to provide additional guidance and correct a typographical¹ error within paragraph 4c at Annex A to Reference A.
2. The growth of professionalism within sport and the increasing opportunities for Service personnel to receive financial reward for being members or trainers of civilian teams, for competing as individuals, and for administering or officiating at civilian competitions, led to a review in 1999 of the policy guidelines for professional sportsmen/women in the Armed Forces.

Regulations

3. Army personnel are reminded that, in accordance with Queen's Regulations J5.076-5.078, they must seek the approval of their Commanding Officer before accepting temporary employment during normal leave or off-duty hours. Such approval would normally only be given if the activity in question does not involve the use of official time or affect the individual's efficiency as a member of the Armed Forces. Care also needs to be taken to ensure that individuals do not contravene Service Regulations on Commercial Sponsorship (QR J5.024). In addition the requirements of Reference B, Chapter 6, paragraph 0602 states that, '*when an individual plays sport for his or her country (and is paid) and leave is granted it will be unpaid only when it is for a one off event with a clearly defined start and end date; otherwise abatement of pay will apply, should also be taken into account.*'

Principles and Policy

4. The policy guidelines for participation in professional sport by Servicemen or Servicewomen are based upon the following principles:
 - a. As a matter both of policy and of financial regularity, Army personnel should not be paid twice for their working time.
 - b. Individual involvement in sporting activity, at all levels, can be of benefit to both the individual and the Service, both during and after a sporting career.
 - c. Sporting activity, and the associated preparation and training, can make significant demands on the time of the individual.
 - d. Application of the principle at (a) should be tempered by a recognition of the considerations at (b) and (c).
 - e. The provision of a strong Public Relations (PR) Plan in support of the individual soldier.

¹ DCI 130/00 states that "if no hard evidence can be provided a score of ten should be returned". The correct score in these circumstances is zero.

5. It should be made clear to personnel, on joining the Army and subsequently as appropriate, what is expected of them by way of commitment to the Army and demands on their time. The needs of the Army, including the playing of representative sport must remain, paramount. Subject to this overriding need, every effort will be made to foster and encourage those with genuine talent, bearing in mind that the Army and MOD have much to gain by capitalising on the individual's sporting achievements for recruiting and PR purposes.
6. Individuals should be informed by their Commanding Officer that where permission is given for participation in professional sport, it will be on the understanding that they will be required to make a contribution (paid or unpaid leave and/or salary abatement) in respect of paid sporting commitments, when they are required but not available for Army duties.
7. This policy applies to both those already serving in the Army and to those joining in the future. Although the principles have been developed in response to the growth of professional rugby in particular, they apply equally to participants in all professional sports or cultural activities. Cases including individuals identified within this latter category should be notified to Command Secretary AG for further advice.
8. The aim is to agree, on a case-by-case basis with the individuals concerned, a contribution from leave and/or abatement of salary according to particular individual circumstances, which reflects a balance between:
 - a. The amount of time that an individual is unable to devote to his/her official duties;
 - b. The benefits he/she brings by undertaking PR, recruiting or other activities of benefit to the Armed Forces; and
 - c. The wider gain to be had by associating the Army with top-flight sportsmen and women.
9. Where an individual is demonstrably able to undertake almost the full extent of his/her Army duties, there may be no need for an abatement of salary as the use of paid and/or unpaid leave may provide sufficient cover. The aim should be broadly to equate the extent of the contribution from leave and/or abatement of salary with the proportion of time unavailable for Army duties, and the degree of benefit to the Army and MOD from the arrangement.

Individual Agreements

10. The National Governing Bodies of some sports, e.g. The Football Association, prohibit the signing of contracts by Army personnel. Where a contract is required, particular care must be taken to ensure that the requirements of DCI 130/00 and this instruction are met. Such a contract must state: *'that the interests of the Army are paramount, and when required for duty the Army has first call on an individual's time.'* The Commanding Officer should confirm that this is included in the contract.
11. When a contract is offered to Army personnel which calls on Service time or affects the primary obligation to Army duties, it is not to be agreed until these guidelines are satisfied.
12. Account must be taken of the Combined Services Sports Board's rules concerning the priority of claims on players (Games and Sports in the Army AC61021).

Authorisation

13. Any such contractual arrangements must be authorised by Command Secretary AG who is responsible for ensuring that the interests of the Accounting Officer (Permanent Under Secretary) are protected against any possible criticism.

a. Proposals for each individual professional sportsman or woman are to be drawn up by his/her Commanding Officer, in consultation with the Command chain and Director of Army Sport Control Board (DASCB) to give effect to a contribution from the individual's leave or an abatement of salary, reflecting the application of principles in Para 8. Once this assessment has been completed, it is to be staffed to the Command Secretary for agreement, using Appendix 2 to Annex A. Armed Forces Personnel Administration Agency (Glasgow) (AFPAA(G)) are responsible for putting in place arrangements to effect the abatement of pay and to inform Commanding Officer, Command Secretary AG and the DASCB of the arrangements when the sportsman or woman is posted to a new unit.

b. Each case should be considered individually and on its merits. The revised policy permits discretion for individual circumstances and is to be applied flexibly. Discussions with individuals will need to be handled sensitively and should highlight the opportunities for professional sportsmen and women to resume a fuller career in the Army once their playing commitments reduce, if they should so choose.

c. In balancing the factors listed in sub paras 8a-8c and when used in addition to or as an alternative to paid/unpaid leave, a sliding scale of salary abatement should be applied, ranging from 10% to 50% abatement of an individual's daily rate of pay. The methodology to be used to calculate the abatement is at Annex A to this instruction.

d. The agreement will normally run for a period of one year from the date approved by the Command Secretary AG.

Reporting

14. An Annual Report on Pay for Professional Sportsmen or women should be produced by PPO Command Secretaries for DD SP Pol (AFW) and Fin Pol (Repayment), who will keep 2nd PUS, informed as necessary. To aid this Command in this task please provide a written report stating **individuals name, rank, number, unit** and how much their salary has been abated covering the twelve month period **1 April to 31 March**, and submitted by 15 May to AG Business Assurance Manager 3, AG Business Assurance Team, Bldg 187b, Trenchard Lines, Upavon, Pewsey, Wiltshire, SN9 6BE.

Write-offs

15. The revised policy of abatement of salary will not apply retrospectively. However, any over payments arising from incorrect application of the previous policy may be considered for write-off in accordance with normal procedures by the Army Forces Personnel Administration Agency (Glasgow) up to their delegated limit.

Insurance

16. Personnel should be aware that MOD will in no circumstances accept any responsibility for injury, loss or damage sustained by Army personnel or for injury, loss or damage to other parties or to property arising in the course of or out of the activity of Army personnel engaged in sport outside of their official duties. Commanding Officers considering applications for such activity should

therefore advise applicants that it remains a personal responsibility to ensure that they are adequately covered by insurance.

Professional Sportsmen and Women - Methodology for Abatement of Pay

Introduction

1. The methodology for calculating an abatement of pay has been designed to arrive at a solution which remains within the parameters described in Reference A, is simple to apply, is fair to the individual and which balances the need for flexibility with the need to produce defensible rationale in support of each judgement.

Procedure

2. At the beginning of the season, or when the individual's sporting contract (between themselves and the team for whom they are to play) is drawn up, the individual estimates the number of days he/she is required to be away from duty in the following 12 month period. The individual then discusses this with his/her Commanding Officer and agrees an appropriate contribution from annual/unpaid leave. Pay for absences not covered by leave would be subject to abatement (as set out below). The number of days where pay is abated would not be subject to renegotiation in the period. If more time off is required, this must be met from annual or unpaid leave.

Calculation of the Abatement

3. The Army has an overriding claim on the individual's time and the individual also has a duty to participate in publicity and recruiting activities, as required by the Army's public relations and recruiting staff. This is reflected in the award of full pay for 155 days each year and 50% of pay on days away from duties (not including any annual or unpaid leave contributions) up to a maximum of 210 days.

4. At the discretion of the Commanding Officer, the 50% abatement may be reduced to reflect any value that the individual brings to recruitment and PR as a direct result of their involvement in professional sport. In all cases a minimum abatement of 10% applies. The assessment should be based on the public profile and image of the individual. This will depend on a number of factors:

a. ***The individual's sporting ability.***

b. ***The public image of the individual.*** This should balance the amount of favourable and unfavourable (if any) publicity including instances of serious on-field in-discipline. Someone who is highly regarded in his or her sport but not well known should not score highly.

c. ***Proven PR value.*** The onus is on the individual to provide a portfolio of evidence to demonstrate the PR value, which he/she has delivered. This could be in the form of press cuttings or evidence of TV and radio appearances. If no hard evidence can be provided a score of zero (see paragraph 5 below) should be returned. The scoring should take into account regional factors, where appropriate. For example, if an individual is helpful in supporting recruitment in an area where recruitment is down, this should increase the score.

5. Assuming zero is to be poor ability, poor image and no evidence, scores should be applied to each factor (a, b and c above) in a range of 0-5, 0-5 and 0-10 respectively. The aggregate score is then multiplied by 2. This would give a maximum of 40, which is then subtracted from the 50% abatement to give the minimum level of 10% as set in para 4.

6. In all cases where less than 50% abatement is applied the individual must be firmly identified in the public mind with the Armed Forces.
7. The time required for individuals to conduct refresher training to become 'professionally current' before returning to their duties is to be considered as part of the time committed to their sport.
8. The responsibility for constructing the case for abatement and making the proposal lies with the Commanding Officer. All proposals must be staffed, using the proforma at Appendix 2, to Command Secretary AG, who is responsible for the final decision. It is essential, for reasons of clarity and to support future audit, that all proposals fully explain and document the rationale applied during the scoring process.
9. Further advice/help can be obtained from the following:

AG Business Assurance Manager 3 - Upavon Mil (94344) 5471.

APPENDIX 1 TO
ANNEX A TO
PROFESSIONAL SPORTSMEN/WOMEN IN THE ARMY

1. This chart starts at the point where the individual has been approached/offered a professional contract

2. Initial Interview with CO
 Complete Part 1 of the Record of Action Sheet and confirm wording of contract meets the requirements of DCI JS 130/00

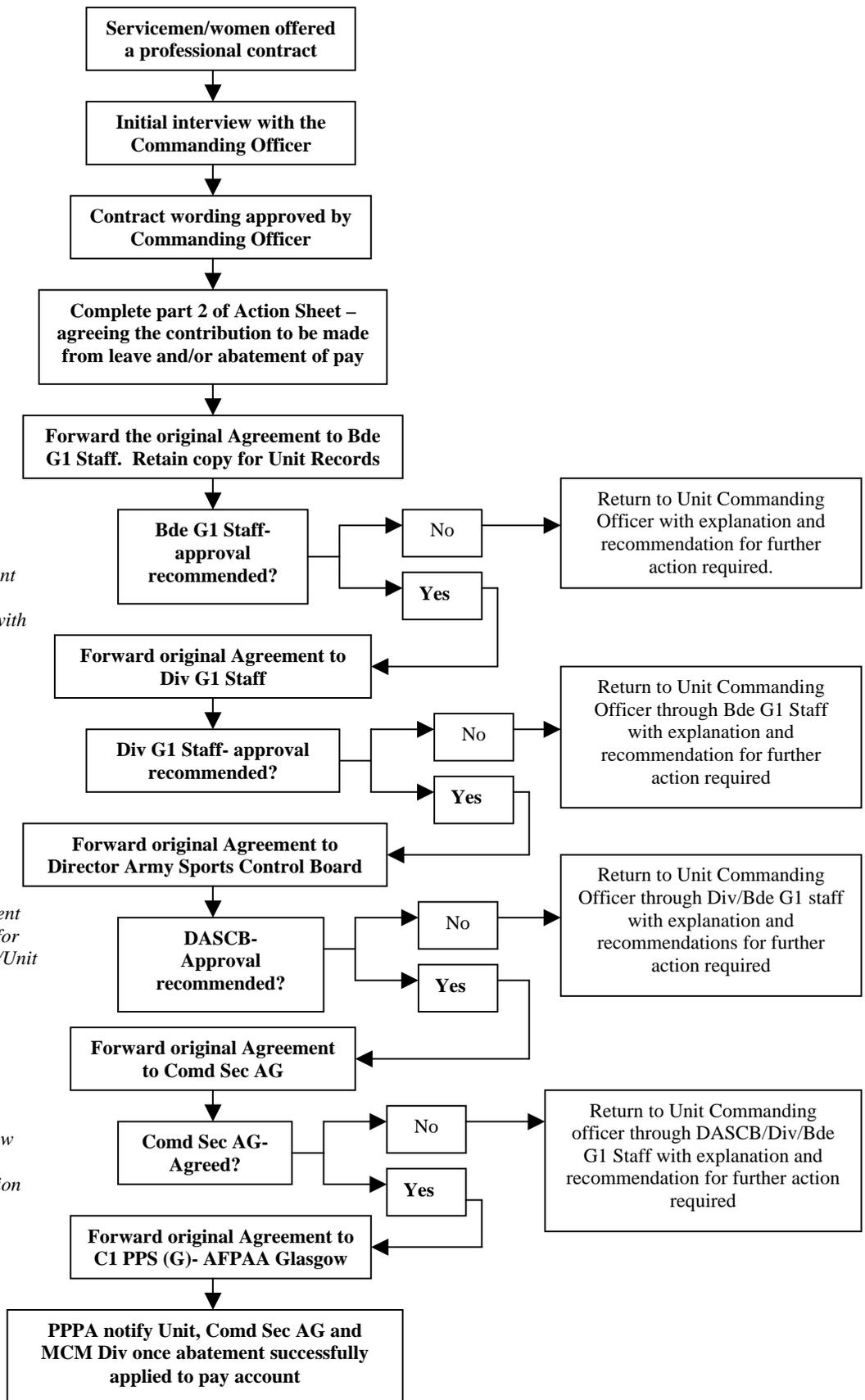
3. Forward Agreement and supporting evidence to Bde G1 Staff for approval.
 Retain copy in Unit.

4. Bde Staff approve and forward Agreement and supporting evidence to Div G1 Staff for approval or return paperwork to Unit with guidance on further action required.

5. Div Staff approve and forward Agreement and supporting evidence to DASCB for approval or return paperwork to Bde/Unit with guidance on further action required.

6. DASCB approves and forwards Agreement and supporting evidence to Comd Sec AG for approval or returns paperwork to Div/Bde/Unit with guidance for further action required.

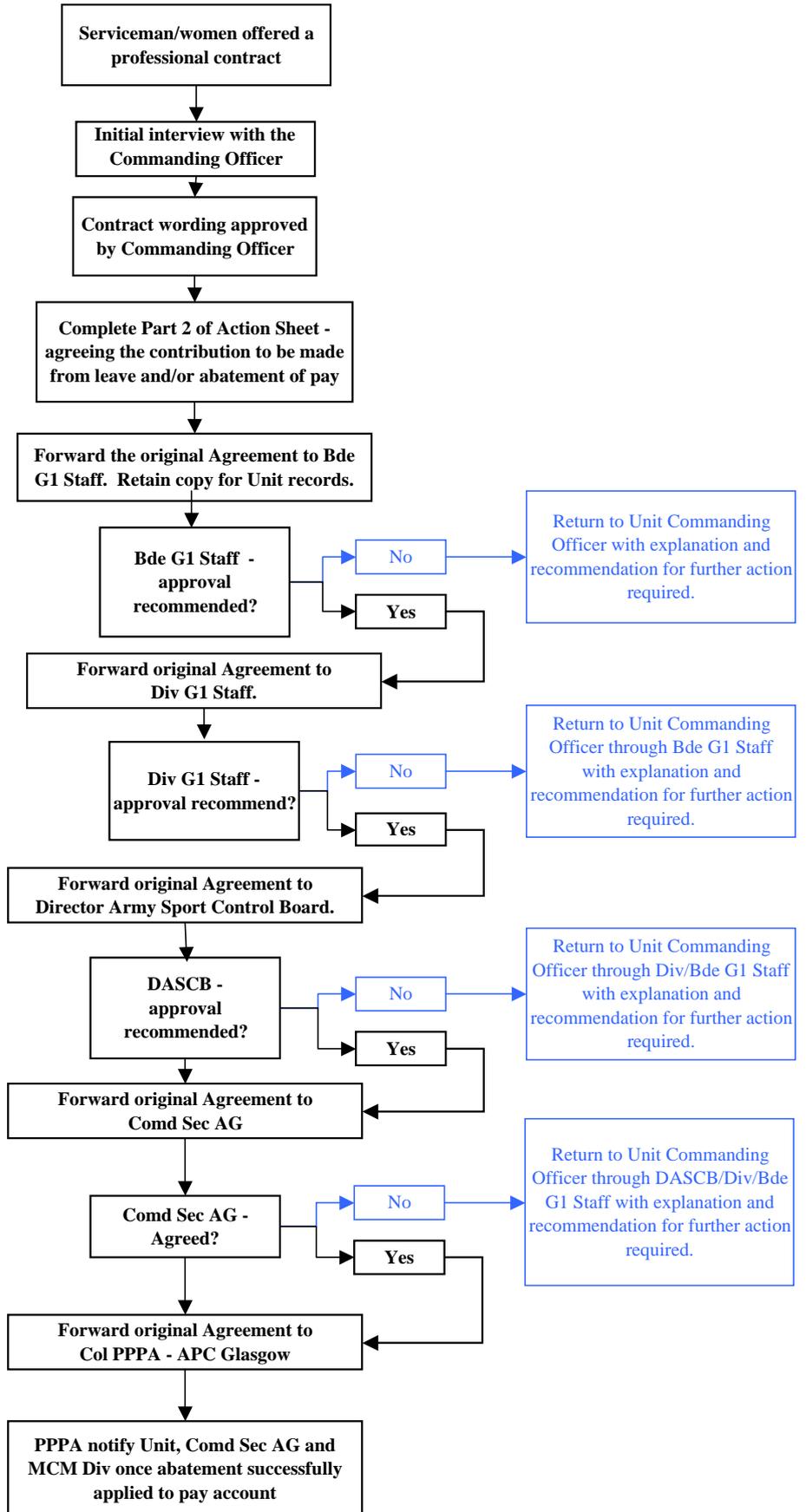
7. Comd Sec AG approves and forwards Agreements to C1 PPS(G), AFPAA Glasgow for processing or returns paperwork to Div/Bde/Unit with guidance on further action required.



PPPA notify Unit, Comd Sec AG and MCM Div once abatement successfully applied to pay account

Notes

- 1 This chart starts at the point where the individual has been approached/offered a professional contract
- 2 Initial Interview with CO
Complete Part 1 of the Record of Action Sheet and confirm wording of contract meets the requirements of DCI JS130/00
- 3 Forward Agreement and supporting evidence to Bde G1 Staff for approval. Retain copy in Unit.
- 4 Bde Staff approve and forward Agreement and supporting evidence to Div G1 Staff for approval or returns paperwork to Unit with guidance on further action required.
- 5 Div Staff approve and forward Agreement and supporting evidence to DASCB for approval or returns paperwork to Bde/Unit with guidance on further action required.
- 6 DASCB approves and forwards Agreement and supporting evidence to Comd Sec AG for approval or returns paperwork to Div/Bde/Unit with guidance on further action required.
- 7 Comd Sec AG approves and forwards Agreement to Col PPPA, APC Glasgow for processing or returns paperwork to Div/Bde/Unit with guidance on further action required.



Calculation of % abatement to Daily Rate of Pay(continued)

Total of public profile and image points (e+f+g) (h)
Total points x2 (h x 2) (i)
Percentage Abatement = 50 – (i) % (j)

Total Value of the Contribution from Pay

Days to be Abated	X	Daily Rate of Pay	X	% Abatement	=	Amount Due
(d)	X	(a)	X	(j)	=	(k)
<input type="text"/>	X	<input type="text"/>	X	<input type="text"/>	=	<input type="text"/>

Certificate of Officer/Soldier

I agree to the above contribution in leave and abatement to pay and, where a contribution from pay is applicable, request that the amount be recovered in instalments over a period of months (maximum 12 months).

Signature of Officer/Soldier

Unit Date Stamp

Certificate of Commanding Officer

Details of the above agreement have been recorded in the individual's records. The following supporting documents are attached where applicable

- A copy of the contract in respect of professional sporting activities.
- Evidence (e.g. radio/TV log, copies of press cuttings) to support the assessment of proven PR value at (g) above.
- Commentary in support of the assessments in respect of sporting ability and public image, (e) and (f), above.

Signature of Commanding Officer

Date

This form, and its supporting documentation, should now be forwarded to Brigade HQ (G1), for approval.

Signature on Behalf of Brigade Commander

It is recommended that the contribution is/is not* approved
Comments

Signature

Name



Tel No

Appointment

Date

* Delete as applicable.

This form, and its supporting documentation, should now be forwarded to the G1 Staff at Divisional Headquarters for approval.

Signature on Behalf of Divisional Commander

It is recommended that the contribution is/is not * approved
Comments

Signature

Name



Tel No

Appointment

Date

This form, and its supporting documentation, should now be forwarded to: The Director, Army Sport Control Board, MoD, Clayton Barracks, Aldershot, Hampshire, GU11 2BG

Signature on Behalf of DASCBC

The details of this agreement have been noted
It is recommended that the contribution is/is not * approved

Comments

Signature

Name



Tel No

Appointment

Date

This form, and its supporting documentation, should now be forwarded to the Command Secretary, HQ AG, Building 19a, Trenchard Lines, Upavon, Pewsey, Wiltshire, SN9 6BE

Amount for Recovery

Period of Recovery

Leave Days

The contribution detailed above is authorised.

Comments

Comd Sec AG

Date Stamp

* Delete as applicable.

*This form, and its supporting documentation, should now be forwarded to: Col PPPA, MP 400, APC, Kentigern House,
65 Brown Street, Glasgow, G2 8BX*

PART 3 – FOR COMPLETION BY AFPAA(G)

Certificate on behalf of Col PPPA

Where applicable, recovery of the amount due has been instigated.

The initial instalment was recovered on Pay Statement Serial Number

Comments

Signature

Name



Tel No

Appointment

Date

Completed Copies (excluding supporting documents) should be forwarded to:

MCM Div
Comd Sec AG
DASCB
Individual's Unit CO