

Amateur Swimming Association (Swim England) Limited Board Minutes

24 June 2021

Via Zoom

Present:

Sue Smith - SS (Chair)
Neil Booth – NB
Ali Breadon – AB
David Flack – DF
Sarah Gregory – SG
Brian Havill – BH

Aysha Kidwai – AK
Raj Kumar – RK
Jane Nickerson – JMN
Bernard Simkins – BS
Joan Wheeler – JW

Officers in attendance:

Richard Barnes (RB) - Director of Legal and Company Secretary
Siân Breen (SB) - Senior Administration Officer
Ash Cox (AC) - item 1 only (Head of Safeguarding)
Keith Oddy (KO) - item 1 only (ICPO)

Min No:

1. **Annual Child Safeguarding Update**

AC outlined the safeguarding team's flexible response to Covid-19 pandemic related challenges, including the handling of completely new issues. Guidance created was replicated across the sector, demonstrating the team's high standing.

A number of points were highlighted about the reporting year:

- Approximately half the normal number of referrals were received, still sizeable considering the time clubs were unable to operate and the reduced working hours of the safeguarding team (pandemic related working patterns).
- Five times as many enquiries and 115% increase in direct advice requests received. A number of DBS and employment queries were covered in the absence of other Swim England colleagues.
- Overall work load was 70% of a normal year.
- Images of children taken in changing cubicles remains the most prevalent crime. The pandemic disrupted progress on this issue with the Facilities team but this will now be advanced.
- Known reoffending rate of around 2% of all prior Risk Assessment Management Plans issued in the last six years, indicating the process remains a valuable tool.
- Creation of online Welfare Officer seminars.
- Identifying replacements for the Club Development Officers lost in the Swim England restructure to continue work to understand how many affiliated clubs compete under Swim England regulations but have separate training schemes.

- This can create a two tier system whereby the training schemes may not have adequate child protection policies.
- The pandemic has caused a significant work backlog, causing a position of slight weakness in terms of managing low level cases where there may be delays.
 - In the nine months prior to March 2020 the number of child abuse referrals was up on the prior year.

AC explained the difference in operation of British Swimming safeguarding, which has oversight of a relatively small number of athletes under the age of 18. Issues that arise are largely of a different nature to those discussed in the report but liaison occurs as necessary, generally less than two instances a year.

The Board recognised the impact on individuals affected by safeguarding issues and agreed the need for a strong stance and the creation of a climate whereby it is extremely difficult for those with ill intent to access the sport's structure. The Chair highlighted the need for ongoing discussion around messaging and appropriate resourcing. In order for the Board to support appropriately it is essential the framework for escalation of issues is correct, enabling effective oversight. It was considered whether a number of higher level safeguarding reports would give the Board a better handle on potential issues and provide an early flagging system. KO confirmed the next annual report would clearly set out input required from the Board.

ACTION: SB to liaise with AC and KO to arrange a session for Board members to better understand safeguarding systems.

Pressure on the team's wellbeing was noted and steps taken to address this were outlined, on which SG offered assistance. AC recognised the need to discuss future resource requirements with the Swim England Executive.

There was discussion on Welfare Officers, their high level turnover within clubs and how they could be supported and educated to ensure effectiveness. AC outlined the hierarchy from regional – club level and confirmed better communication was required to encourage support and best practice.

The Board thanked AC and KO for their hard work over the year, acknowledging the difficult, wide ranging cases the team deal with. AC and KO left the meeting.

The Chair recognised the work required to ensure information received by the Board provided the awareness to resolve potential issues. A number of immediate concerns would be dealt with prior to a process review to improve future working.

2. **Welcome**

AK and RK were welcomed to their first full Board meeting.

3. **Apologies**

Caroline Green

4. **Declarations of interest**

None

5. **Minutes of the meetings of the Board of Amateur Swimming Association (Swim England) Limited**

5.1 **18 March 2021**

The Minutes were agreed as an accurate record of the meeting.

5.2 **30 April 2021**

The Minutes were agreed as an accurate record of the meeting.

6. **Actions arising from previous meetings**

6.1 **18 March 2021**

6.11 Board appraisals: following completion of the Chair's appraisal, the Chair will write to all directors and complete a report on the Board's performance in 2020.

6.12 Late renewal fines: BH previously confirmed the fine element was 50% Swim England. The upgrade was historically not produced for regions and counties but this was agreed by the regional chairs in April and will be actioned following the correction of a system issue in August.

6.13 Club officer training: NB confirmed work is ongoing and a number of training needs are being investigated.

6.14 Expense policies: The Board approved the recommendation that meal allowances and the retraction of an allowance for one alcoholic drink be aligned in the general expense policy with the new event expense policy, for all staff and volunteers. The matter of mileage expenses was discussed noting the mileage allowance in the new event policy is lower than the current general policy. It was noted that to change the mileage rate for staff would require a change of contractual terms and therefore not recommended. However, there was discussion that it may be appropriate to change the volunteer rate in the general policy to align with the new event expense policy. The CFO was asked to look at this and bring it forward to the next meeting.

ACTION: BH to confirm position regarding mileage allowance and bring to next Board meeting.

6.2 **30 April 2021**

6.21 Recovery plan: threshold reached enabling the return of the whole workforce, to be completed in a phased approach following 1:1 meetings with all staff to ensure arrangements can be made for any other commitments. A return to SportPark will not occur for British Swimming until September and Swim England will not commence planning until government advice changes regarding working from home. Following meetings with many of the volunteer groups and committees, wider consideration will be given to the best solution for the business regarding blended face to face and virtual meetings.

6.22 Remuneration to Swim England representatives to the British Swimming Board: email communication issued to Maurice Wilkins. Matter considered to be closed.

7. **Confirmation of decisions made by email**

The appointment of AK and RK was noted.

8. **Chair's Report**

Interviews for the new Swim England Board Chair are imminent and updates will be shared as appropriate.

Congratulations recorded to the CEO in receiving well deserved Queen's Honours.

In her last Board meeting, SS thanked the directors for their support and highlighted the good position from which the organisation could move forward and take a leading role in sports NGBs.

9. **CEO's Report**

Updates were provided on the following items in the report:

9.1 Sport England: positive feedback received on the end of year report. Moving forward, more evidence of learnings and changes brought as a result will be sought. This is considered to be a positive step that will encourage a productive way of working.

There will also be a focus on child swimming attainment rates, on which Swim England will continue to work closely with the Department for Education. Further information has been requested on the partnership with the Black Swimming Association, who are now proposing charges for collaboration. The strength of such partnership working was acknowledged, as well as digital comms and Sport England are seeking to determine how further non-monetary support may be provided. The new approach to long-term investments has just been received. Drop in sessions will be attended as part of the change in process and the System Partner designation is thought to most accurately reflect Swim England's position.

- 9.2 Political engagement: primary school sport premium confirmed for next academic year, commencing September so the request to enable the funding to be used more flexibly to help schools provide swimming will persist.
- 9.3 Institute of Swimming: ongoing project to recruit more swimming teachers from ethnically diverse backgrounds which, in creating role models on the poolside, is hoped will encourage an increase in participation from ethnically diverse communities. It is felt that board members could be ambassadors for the campaigns by lending their voice.

ACTION: Board members interested in becoming ambassadors for the swim teacher recruitment campaign to email JMN.

- 9.4 Health commission: it is hoped GP referrals for long Covid will help operators with swimmer numbers on the wellbeing programmes.
- 9.5 Governance action plan: Sport England understand the potential need to roll over the one outstanding action which is to review the finance policies.
- 9.6 Website: paper to be brought to Board when further understanding of the revised offer proposed by the current web developers is attained.
- 9.7 Commonwealth Games: need for a swimming test event pre Games has been highlighted, although timing will not enable this to be a national competition.

10. CFO's Report

May's accounts demonstrated good progress towards pre-pandemic figures. It is now clear that pools reopened more quickly after the 2021 lockdown and the number of open pools is no longer a barrier to participation

The excellent net commercial revenue achieved by the Institute of Swimming in May is expected to continue throughout the summer with a high number of courses in the order book. Although the recovery of Awards income was always expected to be comparatively slower, 45% of 2019 sales has already been achieved – 5% higher than predicted. The historical cyclical patterns seen in this subsidiary are considered irrelevant this year.

Membership income best case projection has been achieved in June and fees are still being received –the first two months of quarter two have already exceeded 2019 receipts. Projections for 2022 may prove difficult but this is an encouraging position considering the scenarios contemplated at the start of 2021.

Cash balances were noted as being very high, following early receipt of Sport England funding and the Institute of Swimming's full order book. Sport England have also confirmed the next instalment will be paid in September, assisting cash flow at year end and providing going concern security. Although staff will return to full time hours, other expenditure will not occur until income increases further. This may result in a lag, with income increasing above expenditure – which will need to be addressed in spending.

New projections will be completed at half year and may include spending on events, recognising that all sports require competition and this would be an investment in terms of encouraging membership renewals in 2022.

For 2022, although income from Sport England may not be apparent until April, there is awareness that financial commitment will be required in some time sensitive cases such as the Commonwealth Games. There is nothing to indicate the deadline for the SportPark sale in April will not be met, given that the university would be in breach of a legal agreement. Funds from the sale will be used to pay off the loans.

11. **Committee/Working Group Reports**

11.1 **SOC** (18 May)

11.11 **Minutes** - noted

11.12 **Item for decision: Harold Fern & AH Turner Awards**

NB provided a background to the awards and the need to formally outline specific conditions.

The Board were asked to approve recommendations:

1. Awards presented to member, who has never previously been the President, nominated by their own region.
2. Individual can only be awarded either of the Fern and Turner Awards once.
3. Awards are only for an individual.
4. One award will be given - in the form of a gift, either an item or money.
5. Any certificates will be A4 in size.
6. Brief details regarding the donors provided within the description of the awards.
7. New wording agreed for the explanation of the awards.

The Board considered the Awards to be adequately prestigious without the addition of a gift and as such it was agreed that this be removed. Confirmation was provided that receiving an award does not preclude future presidential nomination.

The Board accepted all other recommendations so relevant changes will be made to the 2022 Handbook. This will also be communicated to the regional chairs.

11.13 **Item for decision: Return to water - National Events Sep-Dec 2021**

The Board recognised the need to provide competition and commended the paper which included budgets minimised as far as possible. The obvious limiting factor of government Covid-19 regulations was noted and it was confirmed the removal of event dressing was a decision for 2021 only.

The Board unanimously supported the proposals and the expenditure required and noted that the listed events are all subject to confirmation depending on COVID restrictions etc.

11.2 **British Swimming Board** (9/10 April & 11 June)

Further information was provided on the April minutes:

32.1.2 Unsuccessful representations made to UK Sport included Artistic Swimming, although the Duet have since qualified for the Olympics potentially impacting future funding requests. UK Sport National Squad Funding for Water Polo will be delivered by Swim England for which an SLA is being agreed. This will be used as a template to agree a similar arrangement for the Artistic Swimming funding.

32.1.7 No British high divers remain at international level, following the athletes' change in nationality. Funding and home location is thought to have been a factor in the decisions.

37.1.2 A meeting on Cyber Security Insurance had assured British Swimming the services provided by Swim England were sufficient.
39.2 Home Nation Chairs now signed the MoU.

11.3 **Regional Chairs (15 April & 21 June)**

At the April meeting it was agreed that the discount normally applied to new member fees in October would be waived. Communication to the wider community was to take place, as well as the necessary amendment to the Handbook.

ACTION: RB to amend the Handbook and JMN to ensure changes are communicated with regards to the new member discount being waived in October.

The regional agreements, covering operation of business, are likely to be in place by the next Swim England Board meeting.

ACTION: Sport Development Director to produce a paper for the Board outlining the progress on the Regional Agreements.

11.4 **Institute of Swimming Board (25 May)**

11.41 **Minutes** - noted

11.42 **Item for decision: proposal for change to articles and two new board members**

The following proposals were put to the Board:

1. Change the Articles to allow for 6 (six) directors instead of 4 (four);
2. If the first proposal is approved Rebecca Cox and George Wood to be appointed directors.

The Board noted the recommended individuals were not proposed ex officio.

The Board unanimously agreed both proposals.

ACTION: The company articles to be updated and, following this, the two new appointments to be made accordingly.

11.5 **Swim England Qualifications (SEQs) (27 May)**

Term limits are due to end for the Chair and Vice-Chair. The specialist nature of SEQs was recognised and as such it was agreed that the most effective method of engagement would be to invite the Chair to present an SEQ overview to the Swim England Board on a bi-annual basis.

11.6 **Swim England Trading Board (7 June)**

Thanks were recorded to the Distribution Centre staff who had successfully gained BSI reaccreditation, a difficult process to undertake during lockdown restrictions.

ACTION: JMN to share the Board's thanks to the Distribution Centre team.

The development of the Business Solutions project demonstrated how the team are working to find new areas in the market. It will provide a fantastic opportunity for income generation and is part of an encouraging picture moving forwards.

12. **Membership Fees Proposal**

NB explained that initial proposals were received by SOC who suggested a hybrid of options. The proposal relates to 2022, although the Head of Membership Development is undertaking a review of the membership structure. With the development of the Supporter and Open Water membership offers, more

understanding is being obtained from the sector and new categories will be released whenever it is clear public interest exists.

The increase in Category 3 membership was discussed and it was considered that the actual price change was minimal.

The increase in fees as recommended by SOC was unanimously agreed.

13. **2021 AGM Review**

The cost of pre-Covid-19 AGMs was outlined and the need for similar outlay was deliberated, considering the success of the 2021 virtual AGM for the business side of the event. In line with other sport NGBs, the continuation of a celebratory face-face President's Dinner / Hall of Fame was recommended.

The Board unanimously agreed to option two within the paper - online AGM and seminars; President's Dinner / Hall of Fame to align to another event.

14. **Judicial Review**

Item to be reviewed alongside a review of welfare management.

15. **Board skills matrix**

Further updates would be completed once the new Chair had been recruited, at which point review of any potential skills gaps would take place.

16. **Board representation on committees/working groups**

A number of amendments were noted to the document detailing the Board's representation, including the addition of Board Champion roles.

ACTION: DF and BS to discuss the possibility of joining the Commercial Committee and Swim England Trading Board with AK and RK.

Further discussion on the item will take place following the new Chair's recruitment.

17. **Dates for remainder of 2021**

The joint meeting with British Swimming had been postponed, releasing the date held in September.

ACTION: SB to propose dates for a meeting in September focusing on welfare management and a meeting in December for a combined Board / CPD event.

18. **Agenda Forward Plan**

ACTION: SB to add additional items to the agenda forward plan.

19. **Any other business**

19.1 AK agreed to be the primary point of contact with the CEO on negotiations regarding the new Swim England kit deal. The Board agreed the CEO and AK are empowered to approve contracts as appropriate.

19.2 The Board expressed their sincere gratitude to SS for her tenure as Chair, thanking SS for the calm, professional steer throughout the pandemic and the huge support 'behind the scenes'. SS noted the great potential for the Board to pull together and progress the sport out of the pandemic.