

Meeting of the Board of the Amateur Swimming Association (Swim England) Limited

14 September 2022, 10am

Podium, SportPark

Present:

Richard Hookway – RH (Chair)
Barry Saunders - BSa
Brian Havill - BH
Joan Wheeler – JW
Sarah Gregory – SG
Neil Booth - NB

Aysha Kidwai – AK
Raj Kumar – RK
Jane Nickerson – JMN
Bernard Simkins – BSi
Ali Breadon - AB

Officers in attendance:

Lois Jarvis (LJ) – Director of Legal
George Wood (GW) – Sport Development Director (Item 3 only)
Nigel Kippax (NK) – External Strategy Consultant (Item 3 only)
Emma Griffin (EG) – Marketing, Communications & Operations Director (Items 4 & 5 only)
Kerry Watkiss (KW) – Head of Insight (Items 4 & 5 only)
Kate Rudkin (KR) – Head of Marketing & Communications (Items 4 & 5 only)
Marie Cooper (MC) – People Development Director (Item 5 only)
Rob Henderson (RMH) – Senior Administration Officer

1. **Welcome and apologies**

- 1.1 RH welcomed all to the meeting.
- 1.2 A minute's silence was held to commemorate the passing of HM Elizabeth II, the Patron of the organisation from 1953 to 2016.
- 1.3 Apologies were received from Caroline Green. SG advised that due to ongoing high-profile events, her attendance would be intermittent during the meeting.

2. **Declarations of interest**

- 2.1 BSa and BSi continue to be Regional Directors and may have conflict with regards to any business related to the Regions.
- 2.2 No further declarations.

3. **Swim England Strategy Review**

- 3.1 GW and NK joined the meeting. The Item was introduced as a follow-on from the previous meeting. They attended to recommend the strategy for approval but welcomes a two-way discussion. NK gave an overview, GW gave a presentation.
- 3.2 **Action: RMH to send out GW presentation.**
- 3.3 GW recapped the process undertaken since last meeting – the focus is now on Capability, People and Water. Each is co-reliant on the others.
- 3.4 These three key areas will work on: teaching people to swim; diversifying participation / workforce, safeguarding; minimise pool loss, financial and environmental sustainability, protect deprived areas. Our approach will be bold & creative; ambitious and engaging for all stakeholders and partners.
- 3.5 The floor was opened for questions. RH clarified that the Board has an independent role to play in reviewing this Strategy. This is the overarching Strategy document for the charity, beneath this a number of enabling documents will need to be created.
- 3.6 A board member stated that the document is a great starting point for Swim England. Some thought will need to be given on an operational plan, converting these strategic items to action. Noted there will be a three-year road map and one year implementation plans.
- 3.7 A number of those present would welcome further cost analysis on the document.
- 3.8 It was discussed that the vision should be more proactive; that Aquatics should be the causation of a healthy nation, not just the outcome.
- 3.9 Swim England have always aimed to be gradually progressive but there is an opportunity to be bold and groundbreaking. This could be a catalyst for continuous improvement.
- 3.10 Concerns were raised about pool supply and the cost of Aquatics. This could drive down participation across all areas, but will hit the communities surveyed in [England] Swims harder. Costs at club level continue to rise. More people learning to swim does not automatically increase diversity at club level. This will be more obvious in some areas than others.
- 3.11 A director fed back that previously Aquatics was quite reasonably priced. Perhaps the expenses have been added to through improvements to the structures. In terms of diversity, we should review where this best sits at Swim England to give it the attention it needs.
- 3.12 There was some detailed discussion about the implementation of the Strategy, which RH requested is fed in at a later stage, once the Strategy has been formally approved by the Board.
- 3.13 Learn to Swim statistics were identified as an important area to monitor accurately.
- 3.14 RH requested a more positive narrative to the document, accentuating the positive effects of Aquatics. We will not succeed without putting clubs at the heart of the intervention creation, this then pulls through to local authorities and other partners.

- 3.15 JMN outlined the discussion, agreeing with the need for robust monitoring and evidence, as well as identifying that the Board appears comfortable with the direction of the Strategy.
- 3.16 RH summarised the discussion and gave a note of thanks to GW, NK, the Senior Leadership Team, and the wider team at Swim England for their efforts in pulling this document together. It was requested that GW makes some changes based on the feedback, particularly around the use of more positive language. Further version to be submitted to the December Board meeting for final approval. It is important to begin to develop operational plans, with supporting resources identified, in order to implement the strategy.
- 3.17 **Action: GW to return to December Board for final approval of Strategy document.**

4. **England Swims**

- 4.1 **Action: RMH to circulate England Swims presentation alongside Minutes.**
- 4.2 JMN introduced EG, KW, KR to the meeting. The Board also introduced themselves. The first topic is the England Swims campaign; a bold diversity campaign.
- 4.3 The heart of the survey was to collate critical data for the next ten-year strategy. To do that the team needed to deliver a compelling campaign to engage people not currently in our core audiences, particularly those that have had nothing to do with Swim England before.
- 4.4 A total of 4,487 responses were gathered which was well above target; this included many of the communities which allowed us a further level of explorative insight.
- 4.5 The Marketing team used simple messaging and strong creative as a bare minimum, converting awareness to engagement. Appropriate stakeholders and new partners were leveraged to share our content to reach groups we hadn't engaged previously.
- 4.6 Critical friends were sought to ensure the success of the campaign, helping to sense-check the survey, language and campaign tactics. A digital survey could impact some areas, Sporting Equals helped us to provide paper copies where appropriate.
- 4.7 Sporting Equals have a team of amplifiers across the country, so can go into different faith & community groups to activate interest in the survey. They could also provide some in-person translation if required. Responses through their channels were tracked to target their efforts appropriately.
- 4.8 Social media channels utilised organic, paid and micro-influencer channels. This allowed us to access target areas whilst retaining authenticity. Midway through the campaign the target areas were modified based on response rates. This has given insight on communication strengths and weaknesses. The customer journey was inclusive and focused on building an ongoing relationship with the respondents.
- 4.9 A number of key findings were presented. Swimming mobility, defined as 25m unaided, showed a disparity when analysed by ethnicity, this is further accentuated by gender differences.

- 4.10 Those with limiting health conditions, who do not go swimming, feel they are more capable of swimming than being active generally.
- 4.11 Of those responding from an ethnically diverse community; it was perceived that swimming was a good skill to learn and enjoyable, but not particularly accessible.
- 4.12 Sporting Equals fed back on the cultural barriers faced on attempting to engage the Black community in the survey as the community leaders felt it wasn't appropriate to the audience.
- 4.13 The key drivers to success in running the campaign were a new way of working with leisure operators, community work with Sporting Equals and social advertising.
- 4.14 The biggest challenges of running the campaign were engaging the Black and East Asian communities and our partners' balance between gifting resource and us paying for their work.
- 4.15 There was an opportunity for the Board to ask questions. The Board were unequivocal in their praise for the campaign, congratulations were given to all who worked on the project.
- 4.16 It was clarified that whilst the Black Swimming Association was asked to partner with the campaign, they declined but the door remains open for future collaborations.
- 4.17 This piece of work will be available to the wider sector, including Health Commission and Pool Operators.
- 4.18 There was a suggestion that interactive content is created from lived experiences as this would add to the authenticity of the campaign.

5. **Diversity and Inclusion Action Plan**

- 5.1 MC gave an overview of the Item.
- 5.2 ***Sport England DIAP (Diversity and Inclusion Action Plan)***
There is a requirement for all NGBs to have an annually updated, publically published DIAP. Swim England will need to be ambitious and show meaningful progress within two years. The template for this has not yet been provided by Sport England. Swim England is currently continuing with the format presented to the board and will adapt this when the Sport England requirements are known.
- 5.3 ***Current Demographics***
When looking at disability, race & ethnicity and LGBTQ+, these three characteristics are under-represented in Aquatics – in our Membership, Workforce and National Talent Pathways (non-para).
- 5.4 It was noted that this data is compared to the 2011 Census as this is the most recently available dataset. This will be updated when 2021 Census data is released in the coming weeks.
- 5.5 MC stated that there is no data currently available on the relevance of socio-economic backgrounds or intersectionality, this would be welcomed in the future.

- 5.6 **Decision: Board recommended to include para athletes within the National Talent Pathway dataset for future reporting. Unanimous decision.**
- 5.7 **Our Approach (inclusion by design)**
The Social Model on disability is different from the Medical model. The emphasis is on the service provider to overcome the barriers and obstacles to provide a good experience for those with disabilities. MC also referred to the Inclusion Triangle – the Organisation, the Sport / Physical Activity and the Project.
- 5.8 Research shows that if these things happen in coordination, an increased contribution to Inclusion is made.
- 5.9 **DIAP areas of focus**
An Inclusion working group has been established to share best practice internally.
- 5.10 A “Foundations of Inclusivity” CPD has been launched both online and in-person. It gives a foundation of how to be inclusive in sport. It will be embedded in all future qualifications.
- 5.11 An Inclusion Hub will be available for employees, clubs and other interested parties via the website.
- 5.12 An “Aquatics Champions Training” will be established to empower employers to provide a welcoming and inclusive experience for new Aquatics staff.
- 5.13 Swim England have helped to set up Pride in Water, a shared partnership with British Swimming focused on attracting a greater number of participants to swimming as part of a safe network.
- 5.14 Diversity Confident is a private programme being launched next year to attract and retain more diverse candidates to vacant roles at Swim England. It was clarified that the diversity factor is not preventing recruitment to vacant roles at Swim England.
- 5.15 We now accept coach sign-off via the Certificate of Exception, increasing the accessibility of our processes. The Ripple Effect is a legacy project from the Spirit of 2012, to try to understand through the disability lens, the experience of volunteers with disabilities.
- 5.16 MC requested information on the training needs of the Board in reference to the DIAP.
- 5.17 **Action: Board to e-mail MC with thoughts on their DIAP training needs.**
- 5.18 RH gave thanks to MC for their work.
6. **Minutes of the board meeting of ASA (Swim England) Ltd – 13 July 2022**
- 6.1 Approved as a true and accurate record.
7. **Actions arising from previous meetings – to note progress**
- 7.1 JMN gave an update on actions completed since the previous meeting.
- 7.2 #4 – the Transgender guidance has undergone consultation with an update to be provided today.

- 7.3 #39 & #45 – Protocol for Board attendance at events has been created and shared.
- 7.4 #48 – CG has been appointed to the British Swimming Board.
- 7.5 #55 – the audit tender activity will be considered in 2023.
- 7.6 #57 – two individuals have been appointed to ARP pending Board approval.
- 7.7 #58 & 59 – both the Members’ Forum and British Swimming have been advised of CG’s appointment to the British Swimming Board.
- 7.8 #60 – the split vote procedure has been drafted.
- 7.9 #61 – this has been amended to a review of the current DIAP Action Plan, [England] Swims campaign and an agreement to identify training needs.

8. **Confirmation of decisions made by e-mail**

None.

9. **Chair’s report**

The Chair had nothing of substance to report since the July meeting and invited the CEO to report.

10. **CEO’s report**

- 10.1 The paper was taken as read.
- 10.2 The Government have advised that the ongoing energy bill support after March 2023 will only be for businesses declared as vulnerable; we are campaigning to have the leisure industry declared as vulnerable to enable access to ongoing support. The data server heat project results are due in early 2023.
- 10.3 It was clarified that gas is the biggest heating source for swimming pools. Now there is an improved bank of data from pool operators this offers a chance to push forwards to government and media.
- 10.4 The Speedo contracts are signed and kit is gradually arriving. Payment for this year should arrive soon.
- 10.5 Our phase two Sport England bid documentation has gone through panel and will go to Board on 27 September, including a potential uplift for talent. There will be conditions attached. In addition to this, Artistic Swimming and Water Polo have benefitted in recent years from new pots of funding developed by UK Sport.
- 10.6 Karen Webb Moss has been appointed the new Chair of British Swimming. With a background in organisational and brand reputational transformation, crisis management, marketing and communications, she has been involved in London 2012 and the CG2022. The Board offered their congratulations to the new British Swimming Chair. British Swimming will now begin the search for a new CEO, Swim England will continue to bring Water Polo and Artistic Swimming to their attention.

11. CFO's report

- 11.1 Report taken as read.
- 11.2 The figures are in line with the budget, this is especially pleasing considering January and February which were still affected by the pandemic.
- 11.3 The full impact of energy crisis is likely to be seen in 2023. Positive variances remain static with no increase which is good and indicates we are returning to normal. The biggest short-term problem is clubs having financial issues or losing their training venue.
- 11.4 The 2023 budget will be a balancing act. It is unlikely that our income will increase in any area; we are keeping member focused activity and service increases below the rate of inflation. It will be important to identify new areas for investment and growth, especially important considering the new ten-year Strategy. We do not necessarily need to maintain the levels of profit from recent years.
- 11.5 It was clarified that making more profit enables us to do more, which is different from making profit for the sake of it and would be seen as a favourable thing to do.
- 11.6 Our reserves afford us the ability to plan correctly and create a good foundation for future prioritisation.
- 11.7 **Action: BWH to bring the 2023 budget to the next Board meeting.**

12. Safeguarding update

- 12.1 NB gave an update following the reception of the Annual Safeguarding Report by the Board in July.
- 12.2 Much of the report is similar to previous years, reporting numbers of safeguarding cases and the severity. It would be of benefit to update future reports based on the Safeguarding Team's requirements.
- 12.3 The structure that we had has often been commended by external bodies. With reflection, it is clear that the focus had been on managing incidents which were reportable to statutory bodies and we were less adept at managing welfare issues especially at grassroots level.
- 12.4 The Board accepts the challenges of improving our Safeguarding and welfare function.
- 12.5 NB thanked LJ for the extra support given whilst NB was working with the Commonwealth Games.
- 12.6 The Case Management system is a "case recording" system – no action is provoked – this needs addressing by the provision of a formal system.
- 12.7 We have recruited a new Head of Safeguarding and Welfare. The structure will fall under LJs' Directorate and will be responsible for safeguarding and welfare, including adults at risk.
- 12.8 We now have a well-structured team ready to manage cases, share best practice and offer support to club volunteers. We also have the support of Sport Resolutions.

- 12.9 There are a number of ongoing cases that continue to be managed by the team. Sport England continue to show an interest, in order to support our future work.
- 12.10 The Board's Safeguarding Champion will have more in-depth oversight in the future. The Judicial Review is being supported externally, we anticipate the outcomes of that to inform the future Safeguarding and Welfare work. We would like to get additional capability within the Regions to resolve non-major issues.
- 12.11 We need to be clear on the triggers for CEO and/or Board involvement moving forwards. Important cases should be briefed on a need-to-know basis.
- 12.12 The Board has reviewed and carefully considered and discussed the previous Independent Safeguarding Officer's report. We have consulted and asked our Board rep to do an in-depth review and have sought external legal counsel. We are cognisant of the Whyte Report and other external reports. We are absolutely committed to the safeguarding and welfare of all participants in our sport and aspire to be a leading sport in this area. Nevertheless, we recognise there is always room to improve and we wish to be a learning organisation. It was acknowledged that there are issues with culture and process enhancements to be made. Additionally, it was acknowledged that we are looking to improve our organisational governance generally, which ties in with the application of our Judicial processes.
- 12.13 RH thanked NB for his efforts as the Board Safeguarding Champion and further thanked LJ and the wider team for all their work in improving this area so far.
- 12.14 Some regulation changes will be required to the Handbook following this structural change, allowing for a range of independent investigators to be utilised. This is alongside referrals to a third party through a case management programme.
- 12.15 ***Decision: Board agreed regulatory changes to Handbook to reflect new Safeguarding structure. Unanimous decision.***
13. **Complaints policy**
- 13.1 LJ gave an overview of the item, which allows members and non-members to complain to Swim England. It was drafted by an external body and has been reviewed by ARP.
- 13.2 As part of our award conditions, we will need Sport England approval. LJ and JMN are meeting with Sport England to resolve some outstanding queries.
- 13.3 RK left the meeting.
- 13.4 A Director stated that we should be clear that if services are provided by a third party, that the complaint will be passed onto that organisation. In addition to this, a flow chart outlining the process and clarity on what can be brought to an appeals panel would be welcomed.
- 13.5 RH is keen to see how the policy works in practice.

14. **Transgender policy update**
- 14.1 All the responses and next steps have been offered in the circulated paper. The question for the Board is whether they are happy to proceed.
- 14.2 There is a need to ensure a joined up approach between British Swimming and Swim England, particularly with regards to the Talent programme. At some point this may mean there is a change in policy from participation to performance affecting individuals.
- 14.3 It was noted that in Water Polo, athletes participate together until U16 level due to low participation.
- 14.4 Learning from other sports, being clear on the competition levels attainable as a transgender competitor affords a better experience. FINA's approach is very clear but we have a responsibility to protect participation. There is a need to ensure trans-competitors are supported through any issues that may arise through competing.
- 14.5 Swim England continues to work with British Swimming to understand their intentions in this area of work. Each discipline may need a different approach, although multiple layers across multiple sports should be avoided.
- 14.6 The Board feels it may be beneficial to reach out to more groups affected by the policy – namely the Masters Age Groups, to ensure we are speaking with those in the water.
- 14.7 RH requested that JMN creates a draft policy for the purpose of directing Board discussion in this area.
- 14.8 **Action: JMN to create a draft Transgender Policy.**
15. **Committee / Working Group reports – meetings held since last meeting**
- 15.1 **Audit, Risk & Probity Committee held 5 July 2022 and 8 September 2022**
- 15.1.1 AB gave an update.
- 15.1.2 Two new ARP members will join the meeting from December onwards.
- 15.1.3 **Decision: Board approved the two new members to be appointed to ARP. Unanimous decision.**
- 15.1.4 LJ is aware of a potential historic abuse case with very little detail available at present.
- 15.1.5 There is a further historic abuse claim being brought against a club and Howden are working with them to help support them although the case is outside the insured term.
- 15.1.6 The main action from the BDO report is complete, the remainder are in progress and continue to be monitored by ARP.
- 15.1.7 **Action: BWH to provide breakdown of progress to Board after the next ARP meeting.**
- 15.2 **Sports Operations Committee held 12 July 2022 and 13 September 2022**

- 15.2.1 RH proposed that JW is to be the permanent Chair of the Sports Operations Committee.
- 15.2.2 **Decision: JW appointed Chair of Sports Operations Committee. Unanimous decision.**
- 15.2.3 JW started with the Minutes of the meeting held 12 July.
- 15.2.4 Further met on 13 September. Competitive Diving depths were discussed and the Committee will return to this issue on 11 October as there are still some practical considerations.
- 15.2.5 The Head of Events advised the SOC of an overspend on national events due to increasing costs of accommodation and pool hire.
- 15.2.6 SOC also discussed the Transgender Policy development as detailed in Item 14.
- 15.3 **Regional Chairs' Meeting held 18 July 2022**
- 15.3.1 RH gave an update on this item.
- 15.3.2 There was an update on Inspire programme following the Commonwealth Games, and GW took feedback from Regional Chairs on direction of the strategy.
- 15.3.3 Other items were discussed and resolved following the AGM, including support for refugees from all countries.
- 15.3.4 The meeting has been attempting to meet in person but have been meeting virtually due to external circumstances.
- 15.4 **Swim England Qualifications Board held 11 August 2022**
It was updated that this was the last meeting of the current Chair, Warwick Andrews. Marc Burrows has been appointed as the next Chair.
- 15.5 **Remunerations Committee held 24 August 2022**
- 15.5.1 SG fed back from meetings held on 24 August and 7 September. At the first meeting, it was discussed how to attract and retain employees during a cost of living crisis. In the longer term there will be work by an external body on a formal pay structure.
- 15.5.2 As an immediate reaction to the cost of living crisis, a salary increase from 1 October onwards was proposed. This was benchmarked on what other similar organisations are offering whilst trying to reflect the complexity of the organisation.
- 15.5.3 **Decision: Board approved an increase of 4% to salaries from 1 October. Unanimous decision.**
- 15.5.4 For the purposes of budgetary planning, a further increase is to be considered in the budget from April 2023, with Remuneration Committee taking a final decision in February 2023. Agreed to budget 6% overall to allow for pay alignment and new posts.
- 15.6 **Trading Board held 5 September 2022**
- 15.6.1 BWH gave the update in RK's absence.

- 15.6.2 An investment has been made in more staff. With reference to SOC, losses have always been incurred on Events. There will be a need to decide whether this continues to be a priority following completion of the strategy.
- 15.6.3 Trading results are good, sales are accurate to budget. August will put overall slightly above YTD budget, though September year to date will probably be slightly below budget.
- 15.6.7 BSi referenced the International Learn to Swim programme.
- 15.7 **Institute of Swimming Board held 13 September 2022**
- 15.7.1 BWH confirmed that CG will finish her term on the IoS Board at the end of 2022.
- 15.7.2 Business to Business sales continue to hold, whilst Business to Consumer is falling. For a trial period we will offer one course with the fee split into installments to spread the cost and ascertain feasibility.
- 15.7.3 Business to Consumer contributes over £1m a year so it's an important part of our income stream.
16. **Proposed dates for 2023**
- 16.1 Wednesday 1 February 2023 - online
 Wednesday 15 March 2023 - online
 Wednesday 17 May 2023 – physical
 Wednesday 12 July 2023 - online
 Wednesday 13 September 2023 – physical
 Wednesday 13 December 2023 - online
- 16.2 It was agreed to start at 1pm for Zoom meetings and 11am for physical with dinners afterwards. Inductions need to be planned for the new Board Member.
- 16.3 **Action: MC to action inductions for the new Board Member.**
- 16.4 JMN requested that all Committees to set their dates against this schedule allowing time, where possible, for minutes/reports to come to the Board.
- 16.5 **Action: RMH to create full schedule of 2023 Committee Meetings.**
17. **Dates for next meetings**
 Wednesday 14 December, 1pm (Zoom)
18. **Any other business**
 There was no other business. RH closed the meeting.

Summary of Decisions made

Minute	Item	Decision
5.6	Diversity and Inclusion Action Plan	Board recommended to include para athletes within the National Talent Pathway dataset for future reporting [unanimous].
12.15	Safeguarding update	Board agreed clerical changes to Handbook to reflect new Safeguarding structure [unanimous].

15.1.3	Audit, Probity & Risk Committee	Board approved the two new members to be appointed to ARP [unanimous].
15.2.2	Sports Operations Committee	JW appointed Chair of Sports Operations Committee [unanimous].
15.5.3	Remunerations Committee	Board approved a 4% increase to salaries from 1 October [unanimous].