

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

15 March, 11am

SportPark, Loughborough

## **Present:**

Richard Hookway – RH (Chair)  
Barry Saunders – Bsa  
Brian Havill – BH  
Joan Wheeler – JW  
Katie Walcott – KW (*remote*)

Aysha Kidwai – AK (*remote*)  
Raj Kumar – RK (*remote*)  
Jane Nickerson – JMN  
Bernard Simkins – BSi  
Lois Jarvis – LJ

## **Apologies:**

Ali Breadon – AB  
Caroline Green – CG  
Neil Booth – NB

## **Officers in attendance:**

Hannah Foster (HF) – Executive Operations Manager (*until item 8.19*)  
Rob Henderson (RMH) – Senior Operations Administrator  
Marie Cooper (MC) – People Development Director (*Item 11 only*)  
Toyin Higgs – Inclusive Employers (*Item 11 only*)

### **1. Welcome and apologies**

- 1.1 RH welcomed all to the meeting and outlined the agenda.
- 1.2 It was noted that AK, RJ, and KW were attending remotely via Zoom.
- 1.3 AB, GG, and NB were noted to have sent their apologies ahead of the meeting.

### **2. Declarations of interest**

- 2.1 Regional Directors Bsa and BSi were highlighted as having a potential conflict of interest in regards to any business related to the regions.
- 2.2 JMN and BH stated a conflict with regard to general remuneration matters.
- 2.3 There were no further declarations of interest.

### **3. Minutes of the board meeting of ASA (Swim England) Ltd – 1 February 2023**

- 3.1 There were no further amendments and the minutes taken as read and approved as a true and accurate record.

4. **Actions arising from previous meetings – to note progress**
- 4.1 In reference to decision 7.8 from the previous meeting, it was recommended by the CEO to roll over the contract for Vinix for an additional 2 months. This was unanimously approved by the Board.
- 4.2 **Decision: The Board approved to roll over the Vinix agency contract for a further 2 months.**
- 4.3 JMN discussed the progress of Action 72, regarding the Strategy Review and confirmed this action is on track.
- 4.4 Concerning Action 73 for the Transgender Policy, JMN noted that there is a working group in place finalising responses to potential implications of the policy. The launch of the policy will be moved to early April.
- 4.5 Action 01, regarding the template letter – pool closures, is no longer required, following the recent Government announcement for funding of England swimming pools.
5. **Confirmation of decisions made by e-mail**
- 5.1 None.
6. **Chair's report**
- 6.1 RH gave a verbal report.
- 6.2 It was noted that work has been undertaken following the Sport Resolutions report. This included the planning, drafting and implementation of the Heart of Aquatics launch.
- 6.3 The execution of a Board subcommittee will oversee implementations of actions from the Sport Resolutions report.
- 6.4 The culture of the sport was highlighted and a discussion took place to establish that the subcommittee must think about how as a Board we can oversee the necessary cultural change as a journey within the sport.
- 6.5 It was determined that this will take time to achieve, but the subcommittee will encompass knowledge of sport.
- 6.6 It was recognised that Sport England are keen to have independent members as part of the subcommittee, including the Chair of the committee.
- 6.7 Conversations with Sport England have taken place whereby they welcomed the Heart of Aquatics document in response to the Sport Resolutions report itself. They are pleased with context by how we have launched the Heart of Aquatics as it encompasses our strategy around inclusion.
7. **CEO's report**
- 7.1 In terms of lobbying, we have worked collaboratively with our partnerships. The Government has now announced £63 million will be available for projects. £40 million of funding will be for grants for decarbonisation and long-term efficiency. Approximately £20 million will be available for revenue for pools. Sport England will administer the grants.
- 7.2 JMN clarified that we are looking into how funding is affecting participation in the sport in terms of affordability due to cost of living.

- 7.3 In regards to data servers, there is a pilot running effectively in Exmouth and there will be 2 more installations later this month.
- 7.4 Commercially, we are at the contract stage with one organisation, and live discussions are taking place with another company.
- 7.5 The British Swimming announcement of the new CEO is due to go out this week.
- 7.6 It was expressed that FINA and LEN have changed their age groups, which will have an effect on the Commonwealth Youth Games.
- 7.7 JMN is in conversation with British Swimming about the management of the British Swimming Artistic Swimming and Water Polo programmes. It is felt that this should be handed over to British Swimming in due course. Work on ascertaining the exact financials is ongoing.
- 7.8 The three Home Country CEOs and Interim CEO of British Swimming met on 23 January regarding the MOU between the Home Countries and British Swimming. JMN recommended that we continue with the present system of paying 11% of our membership income, Awards income and IoS commercial surplus.
- 7.9 The Board agreed to proceed on the 11% basis with the CEO advising of any changes in the wording of the MOU before it is finally agreed. Noted the Chairs are the signatories to the MOU.
- 7.10 **Decision: to maintain paying 11% of membership income, Awards income and IoS surplus.**
- 7.11 The Board discussed demographic and socio demographic figures to determine any impact made by our programmes.
- 7.12 **Action: JMN to extract comparative demographic figures if possible.**
- 7.13 The implementation date of the Transgender policy is set out to be in September, with the launch of the policy in April. It was noted that the policy launch would be when it is relevant and appropriate for the sport.
- 7.14 Clarification was queried in terms of the implementation plan for the policy as a need for conditions for national events.
- 7.15 LJ responded to confirm that the Transgender policy implementation working group are determining the appropriate response to a challenge, in accordance with the new policy. It is clear that other sports do not have a clear solution in this area either. JMN established that we are working with triathlon, athletics, and cycling to establish a way forward.
8. **CFO's report**
- 8.1 The report was taken as read.
- 8.2 BH gave a verbal report advising that Covid19 still had a financial impact at the beginning of 2022. However, overall, it has been a good financial year and there had been a good start to 2023.
- 8.3 In terms of the membership income, as of the 7 March we are up 5.1% compared to last year. The number of members is approaching that of 2019 figures and it is hoped that by the end of the year we will be at similar figures to pre-Covid19.

- 8.4 It was noted by a Board member that there has been a steady decline in member numbers over the last 10 years; this was discussed as being a result of many factors, including the amount of leisure centres decreasing.
- 8.5 BH stated that we saw a growth for competitive members, which was consistent with previous years. It is reduction in members for learn to swim, that is less of a concern as there has been an increase in category 2 members.
- 8.6 The number of clubs that have only a few members has reduced significantly.
- 8.7 The Board discussed the progress of categories, and it was highlighted that Category 2 has improved since last year. Category 1 has declined, whilst learn to swim private operators, which are outside of membership, has increased.
- 8.8 Questions were raised concerning health data connected to the aquatic sports and helping to sculpt pathways for future projects. JMN confirmed work had taken place within the Value of Swimming Project and agreed to circulate Health Commission minutes.
- 8.9 **Action: JMN to circulate the Health Commission minutes to the Board.**
- 8.10 Sport England complete a data survey once a year to capture the percentage of the total number of children that have been in the water.
- 8.11 The Board deliberated insight and data and agreed to have further discussions accompanied by a data session at a future Board meeting.
- 8.12 **Action: The Board requested a presentation on insight and data and undertook to review the implications.**
- 8.13 BH noted that the award sales and IoS income are up on budget at the start of 2023. Approximately £40,000 on award sales and £55,000 for IoS.
- 8.14 BH specified that the most disappointing annual statistic is the 20% increase in the number of 11 year olds that cannot swim. The Board discussed further level of questioning as to why this is, for conversations in a data session. As a part of the Strategic Plan (both the current plan and the new plan), Jon Glenn (Learn to Swim and Workforce Director) has an objective to reduce that percentage.
- 8.15 A conversation took place on qualified coaches and the distinction with qualified teachers, due to the number of teachers having gone up and the number of coaches having gone down.
- 8.16 Received the formal written report from auditors.
- 8.17 Board members to send any final comments to BH.
- 8.18 **Decision: The Board gave their approval to sign off the 2022 Annual Report at a time when their suggestions have been incorporated. This was a unanimous decision.**
- 8.19 *HF left the meeting.*
9. **Director of Legal's report**
- 9.1 The report was taken as read. LJ gave a short update.

- 9.2 Sport England are seeking further clarity that the implementation plan is sufficient to their requirements. A further response has been provided to them, and comments are expected within thirty days.
- 9.3 Following the Board approval of regulations, which took place prior to being in receipt of the Sport Resolutions report, a secondary set of changes will now occur.
- 9.4 In the interim, we are utilising independent external support, where necessary.
- 9.5 LJ requested that further changes to the regulations be reviewed by the Board outside of the Board meeting cycle.
- 9.6 **Decision: The Board agreed to review and confirm a decision relating to further Regulation changes outside of the Board meeting cycle. Unanimous decision.**
- 9.7 Appeals have been referred to Sport Resolutions, at no additional cost.
- 9.8 LJ presented the draft Terms of Reference for the Oversight Committee. No objections were made and a willingness shown to ensure each Committee remains relevant annually.
- 9.9 **Decision: The Oversight Committee Terms of Reference were approved and adopted. LJ appointed as member from the Senior Leadership Team; JW to be independent member from Board. Unanimous decision.**
- 9.10 **Action: LJ to draft up Oversight Committee roles and vacancies.**
- 9.11 **Action: BSi and AB to ensure Audit, Risk & Probity Committee and Oversight Committee have minimal overlap.**
- 9.12 A small change is proposed to the Complaints Policy; where an individual believes the process has not been followed correctly, an Independent Director of the Board will act as intermediary.
- 9.13 **Decision: Board agreed that the Independent Directors would initially act as intermediaries for objections relating to the Complaints process. Unanimous decision.**
- 9.14 It was further recommended to seek exchange from Independent Board members with another sport for the purpose of case reviews.
10. **Safeguarding & Welfare report**
- 10.1 The report was taken as read. JMN and LJ gave an update.
- 10.2 Heart of Aquatics was well received. Many offers of help from the wider community have been received, these are gratefully acknowledged. We will now move forward on the scope and implementation.
- 10.3 A number of people with historic concerns have contacted the Legal team to advise that they believe their concerns were not dealt with appropriately at the time. These are being worked through by the Legal team.
- 10.4 A proposal relating to safeguarding affiliations and training were approved by Sport Operations Committee – only courses run by Swim England will be

accepted. 16 and 17 year olds in a position of trust will also be mandated to undergo training.

- 10.5 The CPSU do not have any ongoing concerns, they are supportive of the new safeguarding team and changes implemented.
- 10.6 Clubs are empowered to deal with minor issues at a grassroots level. This has been formalised and there is a clear obligation for Clubs. The Board are grateful to the volunteers involved in these cases.
- 10.7 A Board member requested clearer language in the Wavepower document when reviewed, to clarify as a governing document.

## 11. **Board EDI Training**

- 11.1 The Board received a training session from '*Inclusive Employers*' on Equality, Diversity and Inclusivity. The topics discussed included pronouns, micro-aggressions, language, strategies for having difficult discussions, anti-racism, and allyship.

## 12. **Committee / Working Group reports – meetings held since last meeting**

### 12.1 **Swim England Qualifications held 21 February 2023**

- 12.1.1 The paper was taken as read. JMN gave an update.
- 12.1.2 There has been significant operational change and progress made, with a strong team in place to drive forward. Market share is recovering. SEQ are looking to modernise the terminology used in their policy and processes.
- 12.1.3 **Decision: SEQ Chair to attend one Swim England Board meeting each year. Unanimous decision.**

### 12.2 **Trading Board held 27 February 2023**

- 12.2.1 The paper was taken as read. BSi gave an update.
- 12.2.2 There were good financial results reported. The only issue is a competitor's growing market share which requires monitoring.
- 12.2.3 The statutory accounts were approved, with a donation to be made to Swim England.
- 12.2.4 **Action: JMN to clarify timeline for Commercial Strategy.**

### 12.3 **Institute of Swimming Board held 27 February 2023**

- 12.3.1 The paper was taken as read. BH gave an update.
- 12.3.2 There were good financial results reported. Much of the discussion was regarding the SEQ sanction and appeal. It was decided to move forward and concentrate on 2023.

### 12.4 **Audit, Probity & Risk Committee held 6 March 2023**

- 12.4.1 BSi gave a verbal update.
- 12.4.2 There has been notable progress on GDPR compliance, with some work still to be done.
- 12.4.3 A small amount of information was historically filed incorrectly with Companies

House. This has been corrected and the organisation is unlikely to receive a fine for this.

12.4.4 No significant issues were identified through the audit. Thanks are extended to the Finance team for their hard work. Comments regarding the timeline were noted and will be resolved for 2024.

#### 12.5 **Sport Operations Committee held 28 February 2023**

12.5.1 The paper was taken as read. JW gave a short update.

12.5.2 A number of Leadership Groups are experiencing recruitment difficulties. There was some discussion on improving Club Train membership numbers.

12.5.3 The Board discussed membership price increases and clarity was sought on the rule pertaining to the link between price increases and inflation.

12.5.4 **Action: JMN to further clarify the detail of the inflationary increase rule with SLT.**

#### 12.6 **Remunerations Committee held 13 March 2023**

12.6.1 RH gave a verbal update.

12.6.2 People Development have introduced an updated pay grade framework, across nine bands. Each have a minimum, maximum and median pay figure.

12.6.3 When this proposal is applied, some colleagues are below the bottom, or above the top, of their scale. It is the intention to address most of these anomalies.

12.6.4 The cumulative effect of recent pay increases benchmark very well against similar organisations.

12.6.5 JMN and BH did not participate in the vote.

12.6.6 **Decision: Board approve 3.5% pay increase, including any anomalies below their revised pay grade receiving a higher amount dependent on their situation, pending Sport England funding. Unanimous decision.**

#### 12.7 **Nominations Committee held 13 March 2023**

12.7.1 RH gave a verbal update.

12.7.2 The CEO recruitment process has started with the engagement of an executive search firm. The next task is to produce a candidate pack. Ideally, a candidate will be identified by the Summer.

#### 13. **Dates for next meetings**

**AGM** – Monday 15 May (Zoom)

Wednesday 17 May 2023: 11am – 6pm (In person)

Tuesday 11 July 2023: 1pm – 4pm (Zoom)

Wednesday 13 September 2023: 9am – 1pm (Zoom)

Tuesday 12 December 2023: 11am – 5pm (In person)

#### 14. **Any other business**

14.1 None.

## Summary of Decisions made

Minute	Item	Decision
4.2	Actions arising from previous meeting	Extend sponsorship agency contract for a further 2 months
7.10	CEO's report	Maintain 11% funding of British Swimming
8.18	CFO's report	Sign off Annual Report
9.6	Director of Legal's report	The Board agreed to review and confirm a decision relating to further Regulation changes
9.9	Director of Legal's report	The Oversight Committee Terms of Reference were approved and adopted. LJ appointed as member from the Senior Leadership Team, and JW to be independent member from Board
9.13	Director of Legal's report	Board agreed that the Independent Directors would initially act as intermediaries for objections relating to the Complaints process
12.1.3	Swim England Qualifications held 21 February 2023	SEQ Chair to attend one Swim England Board meeting each year
12.6.6	Remunerations Committee held 13 March 2023	Board approve 3.5% pay increase, including any anomalies below their revised pay grade receiving a higher amount dependent on their situation, pending Sport England funding