

Meeting of the Oversight Committee of the Amateur Swimming Association (Swim England) Limited

Thursday 5 October – Starting at 11:00

Burleigh Court, Loughborough

Attended:

Andrea Chilton – Chair (AC)
Karen Gray (KG)
James Gyselynck (JG)
James Hollis (JH)
Cassandra Patten (CP)
Neil Booth (NB)
Joan Wheeler (JW)
Lois Jarvis (LJ)

Apologies:

None

Officers in attendance:

Hannah Foster - Executive Operations Manager (HF)
Helen Weeks - Sports Governance and Welfare Manager (HW)

1. Welcome and apologies

- 1.1 The Chair welcomed all members to the Committee and it was noted that there were no apologies, as all members were present.
- 1.2 The agenda was outlined, and it was explained that the schedule of the day was to include introductions and networking with the Senior Leadership Team.
- 1.3 The agenda items 'Simplification' and 'Participant engagement' were introduced as standard items going forward, The purpose of these items was to ensure that the Committee actively checked reports and their decisions to make sure all opportunities to simplify processes and language had been taken and that all opportunities for end users to evaluate plans, proposals or policies which would affect them prior to approval, thus influencing content.
- 1.4 The Committee agreed with the additional two standard items.
- 1.5 The Chair detailed the aims for the meeting, which included a review of progress against the Heart of Aquatics (HoA) action plan; to take an initial view of The Behavioural Architects (TBA) report, and to take assurance on operational safeguarding practices as described within the HoA plan.
- 1.6 The Chair reminded the Committee that the received Interim report from TBA is strictly confidential.

2. Minutes from previous meeting

14 August 2023

- 2.1 All Committee members deemed the minutes as an accurate and true reflection of the meeting.
- 2.2 The potential conflict of interest for Cassandra Patten as a matter arising from the previous meeting has been discussed with CP and arrangements agreed to monitor any change in circumstances.
- 3. Actions update**
- 3.1 A01 – Amend ToRs: Noted as complete.
- 3.2 A05 – Review under representation in the Listening Exercise: HF provided a verbal update on behalf of Kerry Watkiss -Head of Insight (KW). There had been difficulties in recruiting respondents from some of the smaller disciplines and from various demographics, despite having actioned a targeted recruitment drive that was amended on a daily basis to fill recruitment gaps. KW plans on working through the learning and challenges of recruitment with the agency upon receipt of the final report after the survey has been conducted, therefore has requested to reschedule A05.
- 3.3 The Committee noted that the reference to demographics had been about personal protected characteristics. After consideration of the request to reschedule A05, it was decided not to extend the deadline but for analysis of responses to take place, and actions planned to fill any demographic gaps thereafter.
- 3.4 **Action: KW to review demographics of respondents once completed and to report to Committee on gaps, along with plans to address the gaps.**
- 3.5 A06 – Monitoring the impact of actions: Members were pleased to see the “learnings” section within the HoA implementation plan. However the Committee would like evidence of the impact of each action within the report, rather than the status of the process.
- 3.6 A09, A11, A12, and A16: Agreed as complete.
- 3.7 A13 – Matrix: LJ provided a paper for the summary of roles and responsibilities for the functions of judicial and safeguarding, which the Committee considered helpful. However, the intent of the action had been to produce a training matrix showing what mandatory training was necessary to each of the roles in swimming.
- 3.8 In the meantime, the Committee submitted recommendations to LJ for the judicial and safeguarding paper:
- Create a flow chart for simplicity of the user
 - Separate ‘safeguarding’ and ‘judicial’
 - Reference to be made for multiagency and 3rd party working
 - To clarify that fees paid for appeals would be refunded if the appeal did not uphold the original decision
 - Note how these roles are appointed
 - Reconsider the language for the sensitivity of the user e.g. not to use the word ‘victim’
- 3.9 **Action: LJ to amend judicial and safeguarding paper with the recommendations from the Committee.**
- 3.10 A17 – Opportunities for observations: AC provided an update as observed the Board meeting on 13 September. It was confirmed that the Board displayed an openness and will welcome observations at any meeting. The observer had therefore been present when the Board discussed the Oversight Committee ToRs and was pleased to report the full commitment of the Board in facilitating Committee members’ ability to do their role. The proposed amendments were approved and the Chair reminded his Board that the approved responsibilities of the Oversight Committee did not absolve the Board from their own individual responsibilities.

- 3.11 KG observed the Senior Leadership Team meeting on 14 September. KG stated to have received a warm welcome. She reiterated the importance of undertaking observation without preconception and with an open mind/
- 3.12 AC and KG shared common themes between both meetings and provided feedback to the Chair of the Board. Currently HF is in the process of setting up a meeting to share these views with Jane Nickerson (Swim England current CEO) and Andy Salmon (CEO commencing in February 2024).
- 3.13 A committee member expressed concern that the development of the digital infrastructure, which would help with the visibility of vital information on the website, was not clear and that this would be necessary for the Committee's desire for clear and accessible information on safeguarding and discipline to be published.
- 3.14 **Action: JW and NB to request a digital update from the Board.**

4. Report of progress on the HoA plan

- 4.1 The Chair invited LJ to talk through the HoA plan regarding actions that have gone well and all overdue actions.
- 4.2 LJ explained how the HoA implementation group has worked through the actions, the individuals each action is assigned to, and the status narrative to outline the progress.
- 4.3 The overdue actions consisted of:
- Coaching certification review
 - The Children coaching initiative
 - Develop refresher safeguarding module 2
 - Adult safeguarding policy
- 4.4 The delay in the coaching certification review was attributed to the recent and significant vacancies in the Sport Development Directorate, who were responsible for this action. There is a current vacant post for the Head of Coaching and the Head of Development is on maternity leave. The new Sport Development Director Ally Whike was coming into post this week. Ally Whike will be picking up actions which are attributed to his directorate.
- 4.5 The Committee discussed the need to support the Sport Development Directorate, with putting in place a practical strategy to cope with the situation. There is a concern with the tight turn-around of deadlines with the substantial changes required, and what appears to be a lack of resource. KG suggested hiring a consultant in order to complete the coaching certificate review.
- 4.6 **Action: explore the appointment of a consultant to accelerate the pace of the coaching certification review – LJ.**
- 4.7 Regarding the children coaching initiative, a question was raised of the importance of this item. The action appears to be quick and easy to complete, and if so why has this not been executed. The Committee would like to understand what benefits come with signing up to the coaching initiative.
- 4.8 **Action: report back at next meeting – LJ.**
- 4.9 Develop refresher safeguarding module 2: had a slight delay but is now complete.
- 4.10 The adult safeguarding policy has a lot of requirements for Ann Craft Trust, noted experts in the field of protection for Adults at Risk (AAR). The policy needs to be clearer with some requirements to be put in the appendix. LJ has the final draft, which will now be going to the approval stage.

- 4.11 **Action: LJ to test the policy with a user or user group prior to formal approval by the Board, which should be subject to the feedback from the user group being incorporated.**
- 4.12 It was confirmed by LJ that a lot of actions within the HoA plan are contingent on the rework of regulations. It is expected that the regulations will be complete by the end of the year, rather than the end of March 2024, as initially anticipated. Whilst acknowledging that this was dependent on Counsel, the Committee determined that this action was the single most important priority for urgent completion, given the dependency on it for subsequent actions.
- 4.13 LJ noted to the Committee that the HoA implementation group are driving plan in terms of timescales and are working through it at pace where possible. Concerns raised by the Committee have been echoed internally with regards to resource and priority.
- 4.14 Members expressed concern that too many actions had “tbc” as the completion date.
- 4.15 **Action: Deadline dates to be changed on the HoA plan from ‘TBC’ to an actual date.**
- 4.16 Concerns were further expressed that some actions had waiting periods. It was acknowledged that this was mainly in response of waiting for regulations.
- 4.17 A discussion took place on resource with further suggestions of consultants during waiting periods to invoke activation that is needed within the plan. It was deemed as imperative to ensure the Board are aware of any resource demands, as their commitment to resourcing had been made clear.
- 4.18 The Committee concluded their routine review of the plan with the request that there was a focus on outputs not inputs, and that Committee attention in future would focus on the most important actions, rather than those due for completion.
- 4.19 **Action: report at next meeting to focus on priority action of regulations, and subsequent policy implications – LJ.**
- 5. Listening exercise report**
- 5.1 The Chair summarised The Behavioural Architects (TBA) session that was originally due to take place today. AC proceeded to explain the reason as to why the session has been rescheduled, as the agency did not want to elicit any opportunity to create bias in hearing feedback ahead of the final report. Instead the interim report has been shared on a strictly confidential basis.
- 5.2 The session has been rescheduled for 23 November, giving the opportunity to address the TBA directly.
- All Committee members were made aware that during any part of the discussion, anyone that feels uncomfortable due to conversations of a sensitive nature, they may choose to remove themselves from the discussion and/or room.***
- 5.3 The Chair asked each Committee member their thoughts on the report by considering the following:
- Reactions to the report - better or worse than expected?
 - Particular concerns - based on reading
 - View on the top 2-3 priorities to be addressed
 - Comments on any points for celebration or commendation
 - Points for clarification, to record in advance of the briefing from TBA
- 5.4 Members individually shared their views, which included:
- Some recognition of behaviours described in the report
 - The impact of such behaviours on individual participants, which can be longstanding

- The power balance between coaches and parents and children, and the culture of fear that can create
- The importance of change, so that poor behaviours are not replicated by aspiring leaders/coaches
- The focus in the report on the elite – what about those not in the talent pathway?
- The definition of success being focused on medals, not on individual participant progress, and fun – swimmers were in many cases, children
- Current and previous arrangements for supporting regions, counties and their personnel, including quality assurance checks
- The need for better governance to prevent poor behaviours and to protect all involved in the sport
- Whether there were opportunities to learn from other sports
- The apparent disconnect between Swim England and its Members, including Masters; swimmers, which can manifest in a lack of trust and/or fear
- The effectiveness of communication between SE and its Members, and the importance of being clear about why training and administration were mandatory
- The deep rooted nature of some behaviours
- That the survey did not and should not condemn every experience of every swimmer
- The need to act

- 5.5 The Committee raised concerns about the publication of the full report, because:
- There was a risk that individuals quoted could be identified by others in the close knit swimming community
 - There was a risk that the perceptions of others, acknowledged as reality for them, may be taken as facts rather than perceptions

- 5.6 **Action: The Board to consider the risks associated with the publication of the report – LJ.**

6. Club Development

- 6.1 The Chair welcomed Helen Weeks, Sports Governance and Welfare Manager to the meeting.
- 6.2 HW explained her role and outlined the presentation which consisted of the following:

Development Team information and compliancy

Explained the 4 facets of the Development team:- club growth and programmes, volunteering team, club and operator relationships, and the Governance and standards.

Club affiliation

Discussed the minimum standard to remain affiliated to Swim England and the Swim Mark accreditation as the higher standard.

Projects

Communicated the projects that have been started and/or completed within the HoA plan.

Mandatory and recommended training

Went through the mandatory and recommended training for specific roles.

Compliancy and sanctions

The process of compliancy and sanctions was explained.

Monitoring process

Clarification of the monitoring process.

- 6.3 **Action: HW to conduct compliance report with the percentage rate for the completion of mandatory training reported back to the Committee, in line with their desire to focus on impact of actions, not processes.**

6.4 The Committee commended Swim England for being able to acknowledge successes, but would like the organisation to consider what is not working well, any challenges, and recognise items that require additional support.

6.5 **Action: Senior staff to consider where matters are not progressing as well as they would like, and where these present a risk to HoA delivery, to report these matters to Committee for consideration and support – LJ.**

7. **Simplification**

7.1 Matters of simplification had been addressed through the agenda.

8. **Participant engagement**

8.1 Participant engagement had been considered throughout the agenda.

9. **AOB**

9.1 **Cultural reflection**

Members were satisfied that it had been a positive meeting, where progress had begun to be made as members became more familiar with the working of Swim England. Members took greater assurance on the operational arrangement for safeguarding. Members wished to give much more time to the Listening Report, as it finalised.

9.2 Some concerns remained about the pace of progress against the plan.

9.3 Members agreed that an induction process for Committee members would be beneficial, as suggested.

9.4 **Action: Committee member induction programme to be developed for Swim England – LJ.**

Next meeting dates:

26 October – SLT meeting observation: JH to cover.

23 November – The Behavioural Architects session: CP and JG remotely attending.

7 December – SLT meeting observation: JW to cover.

12 December – Swim England Board meeting observation – JH and JG to cover.