

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

Monday 15 July 2024 – Starting at 11:00

Old reception meeting room, SportPark, Loughborough

Attended:

Andrea Chilton – Chair (AC)
Ally White (AW) – item 6 only
James Gyselynck (JG)
James Hollis (JH)
Joan Wheeler (JW)
Karen Gray (KG)
Lois Jarvis (LJ)
Neil Booth (NB)

Apologies:

Cassandra Patten (CP)

Officers in attendance:

Hannah Foster – Executive Operations Manager (HF)

1. Welcome and apologies

- 1.1 The Chair welcomed members to the meeting and noted apologies from CP due to holiday.
- 1.2 It was acknowledged that AW is attending remotely for item 6 only to provide an update.
- 1.3 The Chair outlined the agenda and the purpose of the meeting, being to focus on the review of the ToRs with an update of the HoA plan.

2. Minutes from previous meeting

28 March 2024

- 2.1 The Committee agreed the minutes as a true and accurate record.

3. Actions update

- 3.1 The Committee discussed the progress of actions attained from previous meetings.
- 3.2 A17 – Opportunities for observations: KG reported back to the Swim England Chair, and the prior CEO before their departure. It was noted that the Board had received an independent observation as a part of the effectiveness review.
- 3.3 A20 – Digital update: LJ gave a verbal update that this will be rolled out with a new implementation plan for the legal and safeguarding sections on the website. Regulations will be live from 3 September, therefore the action title and deadline are to be amended to reflect this.
- 3.4 A21 – Appointment of consultant: Will be covered during item 6.

- 3.5 A29 – Committee member induction: The Chair has provided The People Development Director (Marie Cooper) with feedback from the induction process. Members were encouraged to supply feedback from their experience. The deadline date was amended accordingly.
- 3.6 **Action: Members to provide feedback to Marie Cooper concerning the induction process.**
- 3.7 A35 – SLT reflection for how the communication plan landed on the publication of the listening report: The CEO had provided an update, as the roadshows have now concluded which will feed into refreshed strategy and values. The SLT are having designated strategy days, and a strategy day will be held with the Board and Regional Chairs. The insight department are currently collating the data which will drive and help form the refreshed strategy.
- 3.8 A36 – Consider the Board and Committee structures: Discussed during the meeting.
- 3.9 A37 – Timeline for action line 73 of the HoA plan: AW to provide an update later in the agenda.

4. Review of the Oversight Committee Terms of Reference

- 4.1 The Chair opened the review of the Committee Terms of Reference (ToR) by reminding colleagues that any discussion must focus on the needs of Swim England, with personal interests put aside. The task was to review the current ToR and consider their fitness for purpose after a year of operation and in a changing environment in which the CEO and Board were developing a new organisational strategy and new governance arrangements to support that strategy. The Board had also commissioned an independent evaluation report of its governance arrangements overall. Recommendations had been made, and broadly accepted by the Board. The recommendations affected the remit of the Oversight Committee as currently constituted.
- 4.2 The Independent Board Evaluation Report and the ToR from the gymnastics equivalent of the Oversight Committee were both taken as read.
- 4.3 Members reflected on the reasoning why the Oversight Committee had originally been created, responding to the Weston report and the mandate of Sport England to add scrutiny to regulatory (safeguarding and discipline) arrangements. Scrutiny of the HoA plan had formed the basis of the Committee's initial work. With that work later expanding and with Board agreement, observations of the Board and the SLT took place as part of the culture brief of the Committee. Members reflected on and discussed the need for cultural development within the organisation.
- 4.4 Members debated whether to review current ToR, or whether to construct new ToRs based on Swim England's current position. Accepting that the latter was a more helpful approach, members were concerned about the effectiveness of this, given that the broader governance reform programme was not yet complete and would be unlikely to be completed during this calendar year. The Committee did not therefore have a clear understanding of areas of overlap or gap in governance that it may need to adapt to.
- 4.5 In considering the future of the Committee, Members reflected on progress to date as well as giving consideration to the potential oversight needs of the organisation in the future. Members commented:
- That whilst the tasks on the HoA were mostly complete, some were yet to be implemented and as such the impact of the changes could not be felt. Members felt strongly that impact needed to be tested before the Committee could consider their work complete in this regard.
 - That whilst the tasks for safeguarding and discipline were mostly complete, the area of cultural reform had only just begun, and as such, the work of the Committee could not be considered complete in this regard.
 - That the response to the outcomes from the Listening Exercise has been to completely review the strategy and values of the organisation, and as such, there was no distinct action plan which could or should be monitored separately by the Committee. There

remained a challenge in separating the role in scrutiny of cultural reform between the Board and the Committee, given its inherent place in the new strategy, responsibility for which lay with the Board.

- 4.6 To help with clarity of purpose for the future, the Committee considered what it had done well, to assess whether there was value in that for Swim England in the future. Considerations included, but were not restricted to, the simplification agenda; bringing the perspective of the participant; defining culture and starting to understand means of reform; external perception and the confidence that having an Oversight Committee gives; expertise; and driving pace of change.
- 4.7 Taking in account all these factors, the Committee unanimously agreed the following recommendations to the Board for consideration:
- That the Committee should remain in place for a transition period (to be determined by the Board, but one year in the first instance) to complete its work and to allow the governance structure review to conclude.
 - That Committee membership should remain as currently constituted as the skills mix remained relevant and appropriate. Whilst the appointment of additional coaches to the Committee, in response to the Listening Exercise, was currently on hold until the governance review was complete, the Committee re-affirmed its commitment to appoint additional coaches if the Oversight Committee was considered the most appropriate route for their contributions.
 - That the Committee Chair should remain in post, but the ability to appoint a meeting Chair in the absence of the Chair would be welcomed.
 - That whilst the presence of Board members on an independent Committee may detract from its independence, the value of the Board members' contributions and the additional links they provide to the Board was significant. To enhance independence, however, the need for at least one Board member to be present for quoracy (and therefore decision making) should be removed.
 - That the topics in scope for the Committee should remain, but the focus of scrutiny should be on the impact of actions brought through the Committee and;
 - That the Committee should act as an independent advisory group to the Board, who should commission at their discretion any additional project-based oversight work on an ad hoc basis. This would create agility and dynamism in the governance arrangements during a period of change, and would also test, to a degree, the concept of ad hoc committees as per the SARA report. In accepting any commissioned projects from the Board, the Committee would need to determine whether or not it had the skills to deliver the project or whether resources would need to be added.
 - Reciprocally, the Board and SLT minutes should be shared with the Committee so that any opportunities for cultural oversight to be explored could be identified by the Committee.
- 4.8 The Committee generally agreed that:
- It did not support the recommendation of SARA that safeguarding and welfare should be delegated to a Committee, as this formed part of the statutory duties of the Board.
 - Reflecting the change in contribution, the Board should be invited to consider token recompense for Oversight Committee Members.
- 4.9 The Committee invited the Board to note that, should the recommendations be accepted, the means by which the Committee gained oversight may need to change. This being, with the potential for increased observation and/or insight, and a decrease in the reliance on written reports.

4.10 **Action: Provide the Oversight Committee with the publication of the Board minutes – HF.**

5. Personal correspondence to the Chair

5.1 The Chair highlighted two communications that had been received, which were noted to not be within the remit of the Oversight Committee.

5.2 Both issues raised have been sent to the appropriate individuals within Swim England.

6. HoA update and actions arising from the Listening Report

6.1 The Committee commended Swim England for the amount of completed actions compared to the last meeting and noticed a shift in momentum.

6.2 LJ highlighted that the actions related to the regulations have been complete.

6.3 Chair welcomed Member views on progress of the HoA. Members unanimously stated that the Committee would like to be presented with the next steps of the HoA implementation group. Members acknowledged the strive to continue to make positive changes on the culture and welfare journey that the organisation is taking.

6.4 NB and JW echoed the Committee's stance by stating that the Swim England Board has also shown recognition to the challenge of changing the culture of the organisation with a full review of the structure.

6.5 Members showed enthusiasm to observe the reaction to the roadshow feedback, and thus sculpting an affirmed direction for Swim England.

6.6 An update was provided to the Committee regarding Swim England's position with Weston and Sport England. Sport England have confirmed that the work within the remit of Mr. Weston has concluded. The date that the regulations will take effect from has been deemed as 3 September 2024, as approved by the Swim England Board at their most recent meeting. The implementation phase will be communicated to Swim England members providing a rationale of why actions are to be implemented. LJ confirmed that Sport England are content with this approach.

6.7 The Committee congratulated LJ and the team for getting to this position.

6.8 LJ stated that the regulations had been tested with Swim England, Sport England and Mr. Weston. It was clarified that during the implementation phase items would be amended accordingly based on member feedback. Going forward, how it will be used will be tweaked to satisfy the end user. The Committee discussed the use of user guides to ensure members understand the legal terminology, in an accessible format to simplify the process for users.

6.9 Action: LJ to test the user guide with the Oversight Committee.

6.10 It was noted that the new Online Community forum is an active listening platform with members. The Committee discussed whether this platform could be utilised to gain feedback.

6.11 The PowerBI system was explained to Committee Members as a mechanism to input data for safeguarding and welfare cases. It acts as a live link between the case management system to explore trends and specific data splits of information such as by role or region. When functioning efficiently it will be presented to the Board and SLT.

6.12 Generally, safeguarding cases have increased, which was as expected following the Listening Report. In addition, contact with safeguarding and welfare departments have also increased. Members discussed the length of time taken to close cases. The Committee were understanding that once specific complaints are taken to an external investigator, Swim England lose the control of the timings for cases. Feedback has been given to Sport England, and Swim England are currently assessing the KPIs of the time taken to close cases.

- 6.13 It was confirmed that the Swim England Board are regularly receiving reports on the timeframes for case management information.
- 6.14 *AW joined the meeting remotely.*
- 6.15 Concerns were raised with supporting and developing coaches, due to the HoA plan progress on these items. Members were keen to understand how this will be addressed.
- 6.16 AW reported on actions to the Committee that were marked as '*not on track*' within the plan that the Sport Development Directorate were managing.
- 6.17 Line 53 – Create a toolkit for both coaches and clubs promoting a positive relationship: Progress was noted with a new timeline. A consultation phase has taken place with coaches and clubs to understand the relationship. A digitalised toolkit is being developed as a resource that clubs and coaches can use. This will include a contents page, to ensure it can also be utilised as a reference document. Emphasis was given to marketing the toolkit in an appropriate way and support clubs to use it. The Head of Coaching is presently looking at ethical coaching. The next steps will be to focus on parents as a target audience. The toolkit will be ready to be delivered in the next four weeks.
- 6.18 Line 55, 56 and 57 – Coach certification review: It was stated that the Coach certification is to be enhanced. The Head of Coaching is working on the development of the certification as well as the review. In addition, a coaching strategy is being developed, and the certification review will form part of this. Updated information regarding the terms of safeguarding have been addressed within the development of the review.
- 6.19 Line 58 – Teach and Coaching register compliance: PowerBI has been utilised for data which has progressed this action. Compliance is becoming more efficient as data sets can be split into compliance for regions, counties and clubs. From this information, education can be given to members in order to increase compliance and target those who are lacking compliance, to help and support clubs. Trends can now be established with the relevant information from PowerBI.
- 6.20 Line 61 – The optimal Athlete development frameworks and the optimal Coach development framework: The optimal framework works with different aspects and across all sports within the key principles that need to be followed. Stakeholders will be asked for their feedback of the specific aspects of developing athletes across the sport to provide the best outcome for the development of the athlete. The framework is running across the swimming discipline. The diving framework is currently being developed, which is proving more challenging by working with external partners. Timeframes have been adjusted to provide a realistic approach due to the Olympics and reviews taking precedence, to which the timeframe has been amended to the end of 2024.
- 6.21 The Committee thanked AW for his time and *AW left the meeting.*
- 7. Simplification**
- 7.1 Matters of simplification have been addressed through the agenda.
- 8. Participant engagement**
- 8.1 This has been considered throughout the agenda.
- 9. AOB**
- 9.1 KG shared members' cultural reflections from the inception of the Committee to present.