



Minutes subject to approval at the next British Swimming Board Meeting

BRITISH SWIMMING BOARD
Minutes of the meeting held on the 12th & 13th November 2021
Emirates Old Trafford Cricket Club, Manchester

Present:	Adele Stach-Kevitz (AS)	Interim Chair
	Jack Buckner (JB)	CEO
	Alex Kelham (AK)	Swim England
	Keith Ashton (KA)	Swim England
	Jane Nickerson (JN)	Swim England
	Graeme Marchbank (GM)	Scottish Swimming
	Fergus Feeney (FF)	Swim Wales
	David Carry (DC)	Independent Member
	Corinne Cunningham (CC)	Independent Member (dialled in)
	Graham Edmunds (GE)	Athlete Representative
	Ash Cox (AC)	Director of Legal & Governance (DOLAG)
	Kathreen France (KF)	Head of Finance (HOF)
	Wendy Lockton (WL)	Director of Business Operations (DOBO)(dialled in)
	Alexei Evangulov (AE)	Performance Director Diving (Friday only)
	Chris Furber (CF)	Performance Director Para Swimming (Friday only)
	David Hoose (DH)	Mazars (Friday only)(dialled in)
	Byron Vaughan (BV)	Executive Officer (EO)

Apologies: None Received

1. Welcome and Apologies

- 1.1. The Chair welcomed everyone to the meeting which included David Hoose (DH) from the Auditors Mazars who was in attendance to present the findings from the Audit Completion Report. No apologies were received.
- 1.2. The Chair expressed the Boards condolences to David Jenkins family outlining that David had been a rising star and an important part in British Swimming's succession planning adding that David's death has left a big emotional hole within the diving community. JB thanked all British Swimming staff who had dealt with the tragic event and updated that support has been put in place to assist staff during this very difficult time including access to a counselling service. JB updated the Board on discussions which are on-going in relation to formalising an annual award in honour of David.

2. Audit Completion Report and Year End Accounts

- 2.1. DH confirmed that the report had already been reviewed by the ARC at their

meeting in October. DH outlined that the report was a very positive and clean Audit process and confirmed that no significant findings had been highlighted in the report.

- 2.2. CC praised the HOF and team for successfully completing the Audit Process remotely. This was echoed by the Chair.
- 2.3. Discussions took place with DH with regards to whether there were any areas to be aware of post pandemic. DH highlighted the following areas for the Board to consider moving forward:
- Vigilance on Cyber protocols
 - Inflation rates
 - People recruitment
 - Procurement suppliers
- 2.6. The Board were asked to approve the accounts and the accounts were unanimously approved. The accounts and letter of representation was to be signed by the Chair and CC.

3. British Swimming Annual Report

- 3.1. The DOBO thanked the Board for their feedback on both proof 1 and proof 2 of the Annual Report, which had been circulated to the Board prior to the meeting and confirmed that all amendments had been made.
- 3.2. The Board were asked to approve the Annual Report, which was unanimously approved by the Board.

4. Para Swimming Presentation – Tokyo 2020 Overview and Debrief – Chris Furber

- 4.1.1. CF made a presentation to the Board, the title of which was Data Project & Tokyo Debrief for Para Swimming. The headings of the slides were:
- Data Project – Krakens & Unicorns
 - Kraken
 - Event Tracker
 - Domestic Athlete Profiler
 - Opposition Athlete Profiler
 - Pathway Tracker
 - Medal Market Share
 - Major Championships Performance Tracker
 - Relay Combination Simulator – page 1 – GBR combos
 - Relay Combination Simulator – page 2 – International NPC combos
 - Project output
 - The Games
 - Tokyo 2020
 - Tokyo Aims

- PB, Trials/ Games & H/F Efficiency and Medal Worm
- %PB by nation
- Debrief – Paris 150
- Zara’s story – luck?
- Retirements S
- 8 key objectives

4.1.2. CF advised the Board that the dashboard modelling, which had been shown during his presentation, could not be produced for Paris 2024 as events for these Games were not yet known.

4.1.3.1. CF was asked who own the rights to the “Kracken & Unicorns” Data Project. CF advised that British Swimming own the rights and outlined that the system has been developed in conjunction with Sheffield Hallam, with whom there is an ongoing relationship. FF queried what costs had been incurred and CF advised that there had been negligible costs involved in the project or system.

4.1.3.2.. A discussion took place with regards to how the data is collated and protected. CF advised that data is obtained from the IPC who are happy for British Swimming to use their data.

4.1.4. FF queried what the athletes think about the dashboard system. CF advised that there are mixed feelings from the athletes but the system has been used to provide compelling cases for athletes to continue swimming, which has been perceived positive and athletes are also using the data analysis for training purposes.

4.1.7. The Chair thanked CF for the informative presentation.

5. The meeting continued on Saturday morning.

6. **Declarations of Interest**

6.1. A discussion took place with regards to Declaration of Interests and what interests should be declared. The DOLAG provided clarification on the different approach in terms of the auditors preference compared to that of Company law.

6.2. AK declared an interest with regards to being approached by the potential partner for assistance on the developing deal with British Swimming. FF also declared an interest due to family connections within the potential partner.

7. **Minutes of the meeting held 17th – 18th September 2021**

7.1.1. AK highlighted an incorrect initial in minute 72.1 and it was agreed this would be amended before the Minutes were published.

7.1.2. The Minutes were agreed as a correct record of the September 2021 meeting.

8. Matters Arising from the Minutes of the meeting held 17th – 18th September 2021

- 8.1 70.1.1. – The Chair advised discussions have taken place with Richard Hookway and a further update will be provided later in the meeting as part of the Chairs report.
- 8.2. 70.1.3. – The Board had been sent a copy of the UKAD action plan with the Board papers and an update on this matter had been provided in the DOLAG and DOBO reports.
- 8.3. 70.1.8. – Two papers on transgender athletes had been circulated with the Board papers and this matter was to be discussed later in the meeting.
- 8.. 70.1.11 – The Chair updated that Marathon Swimming remains on the agenda and will be brought to the Board at a suitable time. JB will work with CS on a date that CS can present to the Board.
- 8.5. 72.1. – The HOF had followed up on the matter relating to how Board members are paid as well as death in service payments and had included an update in the HOF November Board report.
- 8.6. 73.1.3 – The Chair updated that all avenues for funding to assist with Chair recruitment had been explored and British Swimming are currently in the process of submitting an application to UK Sport for funding through UK Sport's Governance Solutions Fund. The DOLAG updated the Board on the recruitment of an agency to drive the Chair recruitment process and KF outlined the expected costs for this recruitment.
- 8.7. 75.5.1. – The CEO's will present to the Board the Aquatics in Britain strategy at the February 2022 Board meeting.
- 8.8. 75.6.1. & 75.6.2. – As outlined earlier two papers on transgender athletes had been circulated with the Board papers. These papers had also been circulated with the November Home Country Partnership meeting agenda and papers, where a good discussion had taken place. It was agreed that there will be a benefit of ensuring work in this area is aligned across British Swimming and the Home Nations. Swim England are looking to write a paper on this matter which will be shared with Scottish Swimming and Swim Wales.

9. Finance Audit & Risk

9.1 Head of Finance Report

- 9.1.1. The HOF provided the Board with an overview of the 5 months management Accounts to the 31st August 2021 and explained the variances within the figures. The HOF outlined a higher deficit than had been reported at the previous meeting, outlining that this was due to the forecasting for Board recruitment. CC highlighted that the full impact of the restructure is not yet known.

- 9.1.2. FF raised a query with regards to the Home Nation contributions. The CEO outlined that the forecast was in line with the MoU and continues to move in the right direction, which was viewed positive. It was agreed that this would be kept under regular review.
- 9.1.3. The HOF & DOLAG would keep the Board updated on Chair recruitment costs once the recruitment agency is appointed by the NOM's Committee.
- 9.1.4. The HOF advised the Board that Payroll had confirmed that non-executive directors are not included on the list of members covered by the life assurance policy. The HOF updated that Payroll had also advised that the life assurance is for an 'employee' as a benefit, which forms part of the employment remuneration package at British Swimming, and therefore company directors are only included as 'employees' if they are contracted to receive a salary in respect of employment.
- 9.1.5. A discussion took place regarding the ambition for the reserves policy moving forward. HOF updated that a rolling forecast was completed based on current situations. It was recognised that there is a balance between building up the reserves or spending money to try and grow commercial revenue.
- 9.1.6. World Class Programme Budgets
- 9.1.6.1 The HOF updated that all disciplines are currently underspending and a budgeting exercise will take place once the restructure has taken place. No costs linked to the restructure are currently included in the World Class Programme budgets due to the restructure taking place in two stages. The Board were informed that by the next board meeting the restructure will hopefully be complete and costs will have been built into the budget.
- 9.2. ARC Minutes October 2021
- 9.2.1. The minutes of the October 2021 ARC meeting were discussed. JN requested further details on minute 5.8.2. which related to the owners of the data processes being defined in the SLA. KA advised the purpose behind the request was to ensure there is clarity in the SLA with regards to who owns the data processes. The DOLAG confirmed this will form part of the review of the SLA. A detailed discussion took place on this matter and it was recognised that resource in this area is limited particularly in relation to areas like GDPR.
- 9.2.2. A detailed discussion took place in relation to consent, security and who has access to data. JN suggested that a sensible approach would be to review what is in place, assess the gaps and work to fill these gaps. JN will arrange a meeting with the Swim England lead in this area to discuss further.
- 9.3. British Swimming Reserves Policy
- 9.3.1. The Reserves Policy was presented to the Board for its 2 year review, last being reviewed by the Board in November 2019. The HOF confirmed that the policy had

been reviewed by the ARC in October 2021. The ARC recommended that the following sentence should be added under Definitions and Goals “Based on the Audit and Risk Committee’s understanding of the liabilities of British Swimming, the minimum Reserves Fund level calculation is considered to be a reasonable estimate in the eventuality of having to wind down the business “The Board approved the revised reserves policy. It was agreed the British Swimming Reserves position would be an agenda item on every other Board meeting agenda going forward.

9.4. Risk Register

9.4.1. The Board were provided with the latest Risk Register. The HOF confirmed the Risk Register has been reviewed by both the ARC in October and by the SMT on a regular basis and had been updated accordingly. The CEO advised the Board the core risks remain stable and well identified. The CEO highlighted that he felt there was no need to rewrite the Risk Register and a detailed discussion took place about a future improvement review. The CEO provided the Board with an overview of the process for reviewing the Risk Register stressing it is a live management tool which is used in an effective way by the SMT. It was agreed that the action plan column for each of the risks should be reviewed to ensure that it is more relevant and has a clear mitigation for each risk.

9.4.2. AK queried who is responsible for assessing risk appetite. It was agreed that the ARC should define the parameters for this.

9.4.3. AS highlighted that she is the sole director listed for the European Championship Ltd and updated that CC and KA had offered to be added as Directors to this company at the ARC meeting. The Board were in agreement for CC and KA to be added as Directors.

9.5. BDO Finance Report

9.5.1. The Board were informed that the BDO report had been reviewed by ARC at their October 2021 meeting and the report was discussed by the Board. KA expressed that it was a really positive report. KF was asked which were the top 3 priority actions which had arisen from the report and KF confirmed they were:

1. Procurement policy
2. SLA
3. Bank verification procedure

It was agreed that an action plan on the BDO report would be provided for the February 2022 meeting.

10. Chairman’s Report

10.1.1. The Chair updated the Board on the Chair Recruitment timeline highlighting that the objective remains to have the new Chair in position by the next Board meeting in February 2022, subject to interview timeframes The recruitment process remains aggressive in terms of the timeline and approach. GM congratulated the Chair on meeting the challenging timeline to date.

- 10.1.2. FF suggested that the role is advertised through British Swimming's own resources as well as using the recruiter's agency to advertise the role. FF to liaise with the appropriate staff within British Swimming to implement this.
- 10.1.3. KA queried if there is a probation period for the new Chair. The DOLAG advised that there is no probation period but there are mechanisms in place if a situation arises that the Board express no confidence in a new Chair.
- 10.1.4. KA queried if applications would be accepted from non UK applicants. The Board were informed that the advert has not clarified applicants must be UK based.
- 10.1.5.. The CEO advised the Board that Sally Munday from UK Sport will be on the Chair interview panel.
- 10.2.1. The Chair updated the Board that the two Swim England members on the Board who previously have not received any remuneration now do so following discussions on this matter at a recent Remuneration Committee. GM, KA, JN, FF & AK all declared an interest in this matter. The Chair advised talks will continue for other Board members when the new Chair is in position.
- 10.2.2. AK sought clarification on the recruitment by the Home Nations for representatives for the British Swimming Board should British Swimming not deem nominated individuals by the Home Nations to be a good fit for the Board. It was agreed this would be reviewed by the new Chair once recruited
- 10.3. Executive staff left the meeting at this stage for a confidential discussion and were invited back in following the conclusion of the discussion.
- 11. Strategic Issues**
- 11.1. 2024 Strategy and UK Sport Strategy**
- 11.1.1. The CEO updated the Board on the Swimming & Para Swimming funding appeals process. The CEO advised that he is hopeful of a positive outcome and will update the Board following the outcome of this appeal process.
- 11.1.2. DC and AK asked the CEO to share the UK Sport panel presentation.
- 11.2. International Influence – LEN & FINA update**
- 11.2.1. The CEO updated the Board on two meetings he had recently attended, namely the FINA Reform Committee meeting in Switzerland and the LEN Congress in Budapest which the DOLGA had also attended. The CEO added that the new leadership of FINA is establishing a new era for World Swimming with a big change in Governance under way.
- 11.2.2. The CEO updated the Board on the Extraordinary General Meeting that has been called by LEN and a detailed discussion took place with the Board on how they wish British Swimming to vote during this EGM.

11.2.3. A detailed discussion took place on future credible candidates from British Swimming for roles within LEN. It was agreed that the CEO would plan a call with all Board members before Christmas to discuss future potential LEN Bureau nominations.

11.2.4. A discussion took place with regards to the International Relations Group and the need to appoint a Chair for the group.

11.3. Commercial Update

11.3.1. The CEO updated the Board on positive discussions which are currently taking place in the commercial space including second meetings with some strong brands. This process is being managed by the Sports Consultancy, as agreed by the Commercial group. If no partnerships are secured following the conclusion of this process, a review of how to proceed will need to take place. The CEO suggested a meeting with the Home Nations in 2022 to work on a strategy with the Sports Consultancy. JN updated on the Swim England agency status and plans.

11.3.2. The CEO updated the Board on the potential kit partner. The CEO advised that from a British Swimming perspective he is comfortable with the proposal but highlighted the challenges the Home Nations face. GM raised some concerns with the partnership and JN updated on the challenges to Swim England. FF outlined that in his view the biggest risk is ambiguity in terms of language being used.

11.3.3. JN stressed there is a need to ensure that the contract with the new potential kit partner is as tight as possible to avoid challenges in the future.

11.4. Equality, Diversity and Inclusion – Trans-competitors and Intersex

11.4.1. The DOLAG had circulated two papers on this matter ahead of the Board meeting and a discussion took place. The DOLAG recommended to the Board that British Swimming reviews its Policy after the IOC has released its guidelines and framework in 2022 and then use this framework to write its own policy in the subsequent 6 months. The DOLAG recognised that the Home Nations may take a different view as it is likely the policy will be used more regularly at grass roots level. This matter will be tabled at Home Country Partnership meetings and through the Aquatics in Britain work to ensure that it is aligned from International to grass roots level.

11.4.2. It was agreed that GM would assume the Board Equality Champion role whilst AS is currently covering the Interim Chair role.

12. Points Arising from Executive Reports – no points were raised.

13. Board Liaison Updates

13.1. Unfortunately, due to time challenges there was limited time for sport updates to take place. It was agreed that Board liaison updates would be allocated more time at the next Board meeting.

11.6. Swimming

11.6.1. AK updated the Board on a discussion she had had with Josh Rudd regarding post competition life for retiring athletes.

11.7. Diving

11.7.1. AS updated the Board on the current coaching arrangements at Dive London following the very sad passing of David Jenkins.

11.8. Artistic Swimming

11.8.1 JN outlined details to the Board on how Artistic Swimming are in the process of trying to recruit a World Class Coach for the duet.

11.9. Water Polo

11.9.1 FF updated the Board on the British Water Polo Championships and how conversations are currently taking place with the BWPL with regards to potentially partnering with them for the pinnacle Water Polo event.

11.10. High Diving

11.10.1. KA advised the Board that the 3 male High Divers from Great Britain will be competing in the High Diving event at the FINA Aquatics Festival in Abu Dhabi in December which will be the qualification event for the 2022 FINA World Championships.

12. AOB

12.1. The Chair and Board thanked GE for his service to the Board over the last 9 years as his term served on the Board came to an end.

12.2. The Chair advised that once the Board returns to a full complement of Board Members, the Board sub-committee memberships will be reviewed.

12.3. It was raised that the November 2021 Board papers had been sent late, the Chair acknowledged these had been late due to a number of factors affecting team capacity in November. There would be a commitment to ensure that the papers for the February meeting are released at least a week ahead of the February 2022 Board meeting.

13. Date of Next Meeting



- 13.1. Due to the LEN Extraordinary General Meeting due to take on the 5th February 2022 a discussion took place with regards to potentially moving the date of the February 2022 Board meeting. It was suggested the meeting could take place the following weekend, 12th to 13th February, potentially in Plymouth to coincide with the National Diving Cup. The DOBO to work with the Chair and CEO on the planning and keep the Board updated.