



**Minutes subject to approval at the next British Swimming Board Meeting**

**BRITISH SWIMMING BOARD**  
**Minutes of the meeting held on the 9<sup>th</sup> April 2022**  
**The Mercure St Paul Hotel, Sheffield, S1 2JE**

|                 |                         |   |
|-----------------|-------------------------|---|
| <b>Present:</b> | 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 – Zoom                                   |
|                 | David Carry (DC)        | Independent Member – Zoom                           |
|                 | Corinne Cunningham (CC) | Independent Member                                  |
|                 | Ash Cox (AC)            | Director of Legal & Governance (DOLAG)              |
|                 | Kathreen France (KF)    | Head of Finance (HOF)                               |
|                 | Wendy Lockton (WL)      | Director of Corporate Strategy and Planning (DOCSP) |
|                 | Byron Vaughan (BV)      | Executive Officer (EO)                              |

**Apologies:** None Received

**33. Welcome and Apologies**

33.1. AS welcomed everyone to the meeting with DC & FF attending the meeting via Zoom. No apologies were received.

**34. Declaration of Interest**

34.1. The CEO declared a conflict of interest following his resignation on the 28<sup>th</sup> March 2022 as CEO of British Swimming to take up the post of CEO for UK Athletics.

**35. Minutes of the meeting held 11<sup>th</sup> – 12<sup>th</sup> February 2022**

35.1. AS highlighted minute 15.5.4 from the February 2022 Board meeting with regards to the CEO attending Home Nation Board meetings and confirmed that the new CEO will take this forward when in post. The Chair made a commitment to ensure that any other ongoing actions against the CEO's name would be picked up moving forward. The DOCSP reassured the Board that a record of ongoing actions are kept and reviewed regularly to ensure all actions are delivered.

35.2. Clarification on Minute 15.10 was sought with regards to the role of the Home Nations Chairs in the Aquatics in Britain Strategy. It was agreed this would be kept on the Chairs agenda.

35.3. The CEO updated the Board on his position on the BOA Board following his resignation from British Swimming. The CEO advised that BOA Governance allows

him to continue in his position on the BOA Board in his new capacity, something which UK Athletics are also supportive of. The CEO outlined it is for the British Swimming Board to decide if they wish him to continue on the BOA Board or look to elect a new member.

- 35.4. The Minutes of the February 2022 Board meeting were formally approved noting the comments made.
- 35.5. The confidential Minutes from the February 2022 were approved shortly following the meeting via email.
- 36. Matters Arising from the Minutes of the meeting held 11<sup>th</sup> – 12<sup>th</sup> February 2022**
- 36.1. Min 15.9.6.1. – The Board were informed that GDPR has now been added to the forward plan for Aquatics in Britain.
- 36.2. Min 17.2. – The Board were informed that the conflict of interest declaration forms and cover note have been distributed and any Board members and sub-committee members who have not yet returned their completed declarations were being sent a reminder to do so.
- 36.3. Min 18.2. – The Board were informed that a potential award in David Jenkins' honour is going to be discussed by Chris Spice and the performance team who would also discuss this matter with David Jenkins family.
- 36.4. Min 18.5. - The Board acknowledged the commitment to carry out a full review of the sub-committees once the new Chair is in place.
- 36.5. Min 18.6. – The DOLAG informed the Board that the review of the articles in terms of making reference to the Chair as opposed to Chairman remains on the agenda for the 2022 AGM.
- 36.6. Min – 20.2.7. – The DOCSP advised the Board that the individual aquatics disciplines are keeping a track of the amount of time team staff spend in the EU, including periods of annual leave, and they do not envisage any team member being in the EU for more than 90 days within a 180 day period.
- 36.7. Min 20.5.3. – The Board were informed that the sharing of the risk registers between British Swimming and the Home Nations has started with processes put in place to manage this moving forward. CC advised she has made contact with the Scottish Swimming ARC Chair and FF will provide CC with details for the Swim Wales ARC Chair.
- 36.8. Min 20.5.5. – The DOCSP confirmed that crypto payments has been added to the May ARC agenda for discussion.

- 36.9. Min 20.6.2. – The Board were informed that a full review of the risk register will take place prior to the May ARC meeting with the updated risk register being provided at the June Board meeting.
- 36.10. Min 20.6.3. – The CEO advised that discussions are still taking place with regards to the attendance of Chris Spice or Tim Jones at a Board meeting later in 2022, however this is likely not to be until the September Board meeting due to a very busy competition schedule in June. The Board will be kept updated on this.
- 36.11. Min 23.1.5. – The DOCSP advised the Board that a meeting is scheduled with UK Sport to discuss Paris 2024 medal targets during week commencing 11<sup>th</sup> April and the DOCSP will share details with the Board once details are known.
- 36.12. Min 23.2.3. - The CEO provided a briefing update to the Board following the hosting of the FINA reform committee meeting held in London.
- 36.13. Min 23.2.4. – The CEO updated the Board on the tender process for the World Para Swimming Championships.
- 36.14. Min 23.5.5. – The DOLAG advised that an update on ToR for the Contract Approval Group will be provided at a future meeting.
- 36.15. Min 24.1. – In advance of the Board meeting, the DOLAG circulated a paper on Transgender. It was agreed this matter would be discussed as a later item on the Agenda and the matter remains as a standing item on the agenda for future meetings.
- 36.16. Min 29.3.- The CEO advised that the Board liaison roles were discussed at the SMT meeting and agreed that the roles would be reviewed once the new performance structure has had time to settle down which will also tie in with the appointment of the new Chair and the full review of all sub committees.
- 36.17. Min 30.1. – The Board were informed that the matter of athlete trackers for Swimming, Diving & Para Swimming was discussed with the SMT and athlete trackers for all 3 sports were provided for the April meeting.
- 37. Finance Audit & Risk**
- 37.1. Head of Finance report**
- 37.1.1. The HOF provided the Board with a summary of the accounts for the 11 months to the end of 28<sup>th</sup> February 2022. The HOF explained to the Board the significant reasons for the favourable forecasted end of year variance to the annual budget.
- 37.1.2. A discussion took place regarding the Home Nations' contribution income and whether the forecasted end of year figure was also the actual end of year figure, with the HOF confirming that it was. A detailed discussion took place regarding the annual contributions which British Swimming already receives from the Home



Nations which were considered to count as co-funding as outlined below for the year ended 31<sup>st</sup> March 2022:

|                   |   |
|-------------------|---|
| Swim Wales        | £56,736   |
| Scottish Swimming | £98,934   |
| Swim England      | £555,280 – 11% of Swim England's membership, awards & educational income for the financial year ended 31 <sup>st</sup> December 2021. |

Total                      £710,950

- 37.1.3. KA asked if there were conditions attached to the Covid-19 financial assistance received from LEN. The CEO and the HOF confirmed to the Board that there were no conditions attached.
- 37.1.4. CC raised a query with regards to the Chair recruitment costs and the HOF advised how this will be reported.
- 37.1.5. KA queried the under spend in the World Class Programme budgets for Diving and Swimming. The CEO advised that UK Sport are aware of this and understand the reasons, this being due to the changing event calendar and the restructure of the performance teams.
- 37.1.6. CC questioned if the budget reporting would still be reported as 3 separate disciplines or as a collective budget moving forward. The HOF clarified that all 3 disciplines would be reported as separate disciplines for the time being.
- 37.1.7. The HOF advised the Board that the Quarter 3 reports and budget updates were submitted to UK Sport in February 2022 and no feedback has yet been received from UK Sport.
- 37.1.8. The HOF advised the Board that invitations to tender have been sent to 5 audit firms including the current auditors, Mazars. The HOF informed the Board that a number of virtual meetings have been scheduled for the HOF to provide audit firms with an opportunity to find out more about British Swimming prior to submitting their tender documents.
- 37.2. British Swimming central draft budget for the Year Ended 31.03.23.
- 37.2.1. The HOF presented to the Board the draft central budget for the 2022/2023 financial year. The HOF highlighted that no changes have been made to the budget since the CEO's resignation.
- 37.2.2.1. A discussion took place regarding the reliance on the figures provided by Swim England and the external factors which may affect the Swim England contribution. JN highlighted an area of risk is if the ongoing energy situation leads to pool closures as this would significantly reduce Swim England's income and in turn contribution. JN added that there is a higher risk of pool closures due to the energy

situation than had been the case with Covid-19. FF echoed JN's comments on potential pool closures in Wales.

- 37.2.2.2. AK asked if there is any insurance policy in place already or available to try and reduce the financial risk of pools closing. JN advised that unfortunately there is not.
- 37.2.2.3. The HOF advised the Board that she undertakes regular requests for updates and dialogue with the Swim England CFO. It was agreed that the HOF would continue to provide reporting tracking on income amounts from Swim England contributions to each Board meeting.
- 37.2.3. A query was raised in respect of Up&Go and Lebara sponsorship arrangements. The CEO explained to the Board how the Lebara payments have been managed. The CEO also updated that the current contract with Up&Go is due to expire in September. The CEO recommended to the Board that the contract of Nasima Hussain is extended to assist with continuity in the commercial area until the new CEO is appointed. The Board were in agreement with this.
- 37.2.4. The HOF updated the Board on 3 roles within the new structure which were previously fully funded by the World Class budget but are now partly funded by the central services budget.
- 37.2.5. A discussion took place regarding the office requirements of British Swimming. It was agreed to keep reviewing the requirements and also for the new CEO to review when appointed. JN to check tenancy terms with Loughborough University on the possibility of reducing office space further.
- 37.2.6. The Board were asked if they were happy to approve the 2022/2023 budget. The Board unanimously confirmed they were happy to approve the British Swimming budget.
- 37.3. World Class draft budget for the Year Ended 31.03.23.
- 37.3.1 The HOF presented the draft budget for the World Class 2022/2023 programme. The HOF advised discussions are on-going with UK Sport about the pros and cons of having one funding award for all 3 disciplines and how this would affect areas. The HOF advised the Board that they were not being asked to approve the budget as it is still a work in progress following the restructure.
- 37.3.2. A query was raised with regards to the 4% salary increase which had been awarded to employees. The Board were informed that various options had been discussed by the Remuneration Committee and this figure was decided following these discussions.
- 37.3.3. JB informed the Board that UK Sport have confirmed British Swimming will need to significantly contribute to co-funding in the next cycle leading into 2028 and that this will form part of the award conditions with dates set by which British Swimming need

to demonstrate increased co-funding. The CEO highlighted that UK Sport are expecting NGB's to substantially increase their co-funding and commercial income or the UK Sport funding award is likely to be reduced. The CEO advised UK Sport feel NGB's struggle commercially. The Board identified a need for UK Sport to better understand the co-funding home contribution model which is already in place.

- 37.3.4. The CEO advised how UK Sport wish to attend the June British Swimming Board meeting. A detailed discussion took place about this and it was agreed that the Board welcome the engagement with UK Sport. However, it was felt that it would be more beneficial to have UK Sport involved at a later Board meeting, suggested to be September 2022, which would allow the new Chair to be in position and involved in the process. It was agreed that AS and the CEO would engage with UK Sport to discuss the points raised by the Board. It was also agreed that the CEO would speak to colleagues in the CEO network to see how they are progressing on the UK Sport Commercial award conditions.

## **38. Chairman's Report**

- 38.1.1 The Chair updated the Board on the recruitment and interview process for the new Chair highlighting the strong calibre of candidates all of which would bring different credentials to the role. The Chair highlighted the confidence the panel had in how all of the candidates would positively help take the organisation forward.

- 38.1.2. The Chair provided details to the Board on the 2<sup>nd</sup> stage of the interview process which will also include senior UK Sport representation along with further representation of the Board on the interview panel. A discussion took place regarding who would be available to be on the panel and it was suggested that GM plus one other Board member would be on the panel. KA raised the importance of ensuring that none of the panel have a conflict of interest with any of the candidates involved in the 2<sup>nd</sup> stage of the interviews. It was agreed the Chair would check this and then confirm who will be on the panel.

- 38.1.3. FF & DC provided details to the Board on their experience from being on the panel noting that all candidates are of an extremely high calibre, motivated and with a real commercial prowess. The Chair elaborated on this advising the Board it will come down to "Culture, Risk & Change".

- 38.1.4. The Chair confirmed the Board will have the final decision and have the opportunity to meet the candidate before being appointed.

- 38.2. Executive Staff left the meeting at this stage for a confidential discussion.

- 38.3. Executive Staff were welcomed back into the meeting.

## **39. Strategic Issues**

- 39.1. International Influence – LEN & FINA update

- 39.1.1. A discussion took place on proposing GM to be considered to replace the CEO on the LEN Bureau following the CEO stepping down following the LEN Congress in May 2022. The CEO advised he was currently unclear on the process for getting GM elected to the LEN Bureau but reassured the Board he will work with UK Sport and the LEN President to obtain clarity stressing the importance for British Swimming to continue to have a member on this Bureau.
- 39.1.2. The CEO updated the Board on a recent International Influence call. It was advised GM and the DOLOG will accompany the CEO to the LEN Congress.
- 39.1.3. The CEO updated the Board on the continued work taking place on the FINA Congress and outlined that continued support will be given to British Swimming personal for their respective positions within FINA.
- 39.1.4. The CEO advised the Board that Jack Laugher has been nominated by British Swimming to the FINA Athletes Committee and Liam Tancock nominated to the LEN Athletes Committee.
- 39.1.5. A discussion took place on the succession plan in place for LEN and FINA Technical members in certain areas. GM commented there is a clear lack of depth.
- 39.1.6. The CEO provided an update on the FINA Reform Committee and how this is gradually going to be wound down and replaced by a panel of 5 people.
- 39.1.7. The CEO highlighted how British Swimming is in a good place strategically with LEN & FINA, noting that the FINA President will be the first FINA President to attend a Commonwealth Games.
- 39.2. 2024 Strategy and UK Sport Strategy
- 39.2.1 A discussion took place with regards to the UK Sport Strategy. It was agreed that GM, DOLAG and AS would meet to discuss this prior to speaking to UK Sport.
- 39.3. Ukraine/Russia Update
- 39.3.1. The CEO had provided an update to the Board on this matter as part of his report. The CEO outlined the activity currently taking place within the UK with regards to hosting aquatic athletes and their families. It was agreed that should any Home Nations receive any requests to host families they should contact the CEO who will then liaise with LEN.
- 39.3.2. The CEO advised the Board that due to no Russian or Belarussian representation at LEN and FINA events this will offer more opportunity to our own athletes.
- 39.3.3. The CEO highlighted how proud he is of our athletes for their stance on not wanting to stand next to Russian and/or Belarussian athletes.
- 39.4. Equality, Diversity and Inclusion and Transgender

- 39.4.1. The CEO further updated the Board on the latest discussions which have taken place with other NGB's on the topic of transgender and outlined the appetite for NGB's all agreeing a consistent policy.
- 39.4.2. JN advised the Board that the Sport Council had provided some guidance on this matter. JN to share with the Board a thought paper which had been written by Swim England.
- 39.4.3. It was agreed that the CEO will share any details on Transgender with Home Nations so all Home Nations and British Swimming are aligned with each other. AK requested that the Board also be kept informed on any developments or briefings so they too can be aligned.
- 39.4.4. The CEO added that LEN and FINA are still to publish their policy on transgender athletes.

**40. Points arising from Executive Reports**

- 40.1. AS asked the Board if there were any questions arising from the Executive Reports which had been provided in advance of the Board meeting. All Board members confirmed there were no points arising.

**41. Matters for Decision**

- 41.1. The DOLAG advised the Board of the changes which had been made to the Review of Programme (Funding) and Selection Appeals Procedures, which had been circulated in advance of the meeting, and the Board were asked to approve the revised Procedures. The DOLAG advised the Board that these will be reviewed every 2 years. The Board unanimously approved the Selection and Funding Appeal Procedures.

**42. Board Liaison Updates**

- 42.1.1. The CEO advised how Chris Spice is currently determining the best way forward for the Board to support the disciplines following the restructure. Chris Spice will keep the CEO updated who will then report to the Board accordingly.
- 42.1.2. JN highlighted it is essential that Artistic Swimming and Water Polo remain on parity with the other disciplines.

**43. AOB**

- 43.1 The CEO updated the Board that as an extension of ongoing governance work it had been agreed at the recent Home Country Partnership meeting to work with a freelance consultant to review how the Board Sub groups operate and how they link together to work with the Board.

**44. Date of Next Meeting**

- 44.1. The next meeting will take place in Edinburgh on the 10<sup>th</sup> – 11<sup>th</sup> June 2022. This will involve a joint meeting with Scottish Swimming. The DOCSP informed the Board the





meeting may need to start slightly earlier on the 10<sup>th</sup> June so the Board members can be aware of this when making travelling arrangement. The DOCSP will keep the Board updated accordingly on the times and the venue.