

**Meeting outcomes of the England Athletics LTD Board held on 23 July
2020 via Microsoft Teams**

Present:

Members of the Board:

Lorna Boothe, Board Observer (LB)
Ellie Brown (EB)
Neil Costello (NC)
Peter Crawshaw (PC)
Steve Grainger MBE (SG)
Leshia Hawkins (LH)
Janyce Holmes (JH)
Chris Jones (CJ)
David Lodwick (DL)
Myra Nimmo, Chair (MN)
Tim Soutar (TS)

England Athletics Officers:

Michael Davis, Head of Finance (MD)
Dan Isherwood, Head of Operations (DI)
Ben Patel-Sadler, Board and NED Secretary (BPS)
Liz Purbrick, Inclusion Manager (LP) – for agenda item 10 only

Other Representatives:

None.

1. Apologies

1.1 Adetunji Akintokun (AA).

2. Declarations of Interest

2.1 None.

3. Minutes of Previous Meetings

8th April - extraordinary meeting
1st May - extraordinary meeting
21st May - scheduled meeting
25th June - extraordinary meeting

Resolved and Actions:

- 1.) The Board agreed that the draft minutes were accurate records of all meetings.
- 2.) BPS to provide copies for signature by the Chair.

4. Actions/Matters arising

Resolved and Actions:

- 1.) The Board noted the closed items on the document and agreed to their deletion. *As at 28th July 2020 Sport England has funded £10k to a Board Effectiveness prog.*

5. Chair's Report

Resolved and Actions:

- 1.) The Board noted the contents of the report.

6. CEO Report

- 6.1 The Board noted that affiliation income was currently 40% down when compared with the same point in 2019 (although affiliation numbers continued to rise at a slow rate). Information would shortly be shared with clubs (August) to communicate the proposed fees for 2021/22 and to share information related to the club development fund (effective from April 2021). The process for clubs to apply for this funding would be communicated in advance of April 2021. Further communication with clubs would also outline how EA would continue to provide support in the short to mid-term.
- 6.2 EA continued to work on the return to competition guidance which had been a difficult process to manage. In relation to competition in specific events, the Board noted that for longer distance racing on the track, there was a concern around people spending a significant amount of time close together (15 minutes maximum was the current government guidance). As an interim step, 3,000m may be introduced.
- 6.3 The regional licensing process had so far been working well. In the first week – 18 competition licence applications had been received. EA staff members had worked alongside Regional Council Chairs to ensure safe competition events had been successfully planned and delivered.
- 6.4 It was hoped that a series of competitions would take place over the summer and up to the September track and field deadline. EA would continue to provide appropriate guidance which reflected the current government position at that time. EA was also working with major road race providers ahead of 1st August where road race licences can be issued albeit with required adaptations.

- 6.5 It was commented that EA guidance provided one week ago had been comprehensive and clear – the process involved for competition providers to stage an event was detailed and significant due to the safety requirements involved.

Resolved and Actions:

- 1.) The Board noted the contents of the report.

7. UKA & HCAF Commissioned Welfare & Safeguarding Review

- 7.1 The Board noted that this was an extremely important piece of work.
- 7.2 CJ informed the Board that the review served to clarify the responsibilities of UKA and the Home Countries – the addition of the independent case management panel and appeals panel was seen as a positive step. The role of the Home Countries in this process was to provide mitigation and club support, along with guidance on best practice. It would also be necessary to ensure that the membership application and renewal processes reflects the appropriate level of information EA requires and then subsequently tracked on an annual basis. The Board noted that there was a significant amount of work for EA to complete over the next 12 months (and for EA member clubs if they did not get the process right in the first instance).
- 7.3 The Board noted the importance of ensuring that clubs were not unnecessarily burdened in terms of volunteers completing additional safeguarding related paperwork. However, the Board agreed that the future proposed safeguarding requirements resulted in an enhancement of the sport, making it fit for purpose in the present day.
- 7.4 The Board noted that the digitisation of EA systems was being undertaken to minimise the administration burden on clubs (although there would be workload implications for the EA club support team). The EA administration function would be changing as part of the restructure to support the automation associated with how clubs share information with EA. This would also assist in the auditing of information held by EA.
- 7.5 The Board noted that the vast majority of clubs took the issue of safeguarding extremely seriously and already had appropriate procedures in place – the recommendations and guidance associated with the review sought to enhance the level of protection afforded to those within the sport. The Board noted that a user group was being utilised to ensure that any developments resulted in the end product being as user-friendly as possible (including large and small clubs).
- 7.6 In summation, the Chair confirmed that three issues had been raised:
- 1.) Training – needs to be tailored to the needs of our sport.
- 2.) How will compliance be monitored and enforced without massively increasing workload of EA staff and clubs? Monitoring of EA staff workload must be undertaken.
- 3.) Utilisation of IT systems must be optimised to reduce workload on clubs.

Resolved and Actions:

1.) The Board noted the contents of the paper – the feedback provided by the Board would ensure that the executive would now progress this work effectively.

8. UKA/HCAF Framework Agreement & Schedule 2

8.1 The Board noted that all of the drafting typo/grammar recommendations had been accepted at the CEO forum and would now be incorporated.

8.2 The Board agreed to address and review the points which had previously been raised via e-mail by Directors:

3.1

The Board acknowledged that all working groups would report to the CEO Forum and that membership of each working group and a process for such would be the decision of the CEO Forum.

Resolved: The Board were content to proceed with the current wording at 3.1 (provided the concerns as outlined above were resolved within the overall document).

3.2

Resolved: The Board accepted the insertion of the word “Material” adjustments would come back for all parties to agree.

4.22

The Board agreed to a commitment from UKA to incorporate a “conflict resolution protocol” alongside the changes to the Articles of UKA and the nomination by the HC’s of the HC Directors.

Resolved: This was accepted by the EA Board

4.3

The wording to reflect that decisions will be taken via a simple majority (although consent would be required by any party to any material extent by such decision). The list produced was not exhaustive and could be added to if appropriate. The fundamental aim of this aspect of the Document was to ensure that no party would be formally required to participate in a project which would be to detriment of themselves if they were outvoted. Two potential examples had been included in the document (where this may be the case).

Resolved: This would be discussed at the CEO Forum to confirm the exact form of words.

Working Groups:

Resolved: The Board were content with this wording.

6.3 Liability and Indemnity:

Resolved: 'Without liability or penalty' should be added to the document (whilst noting that if any party decided not to undertake a task, it would be difficult to determine any appropriate sanction if there was no liability or penalty associate with not completing a certain task(s)).

9.1 Dispute Resolution:

Resolved: To be discussed at the CEO Forum on 24th July.

10.2 (A) The reporting of the Home Country Director:

The Board accepts the recommendation that matters discussed at UKA Board are confidential but that on a request for dissemination to HCAFs this will not be unreasonably withheld.

Resolved: The proposal agreed in principle with a commitment from the CEO Forum that wording be added to the protocol on conflicts to cover information sharing at Board level.

The Board discussed the governance around UKMC which was seen as a substantive issue which needed to be explored further. UKMC is not included in the Framework Agreement.

Resolved: MN to undertake further discussions with the chair of UKA regarding UKMC specifically to ensure that corporate responsibility is clarified.

8.3 The Board noted that drafts of the Framework Agreement reflect comments from other Home Countries and not just EA.

8.4 The Board acknowledged that there would need to be an element of trust associated with this process – most of EA's comments had been incorporated into the current version of the document. It would be important to trust partners and their associated Boards and staff to deliver on their respective areas of work.

Schedule 2

8.5 The Board suggested that the working group "equality, diversity and inclusion" was not integrated into other priorities immediately although this could be worked towards.

Resolved and Actions:

- 1.) The Board noted the contents of the paper.
- 2.) The Board Chair would forward comments to the solicitor working on behalf of UKA.

9. Strategy Update

- 9.1 In relation to the alignment of EA with the UK-wide strategy, the Board noted that there was significant alignment between both emerging documents. The Board were informed that insight suggested that the sport needed to be athlete centric/focussed going forwards.
- 9.2 Feedback would be provided by the other 4 partners to shape the final version of the document.
- 9.3 The Board noted re the alignment of terminology in specific places between the EA strategy and the UK-wide plan. DI confirmed that the timing of both pieces was slightly out, but we could potentially amend our own strategic framework to completely align if we felt it was an important thing to do.
- 9.4 The Board noted that each Home Country was at a different stage with their own respective strategies. There was consistency between EA and the other Home Countries in many areas of priorities which was encouraging.
- 9.5 DI had commissioned a consultation survey following the completion of the UKA and EA CEO webinars which had taken place over the summer which had included some comments around the future strategic direction of the sport (and which had highlighted agreement from stakeholders with the future priorities identified as part of the Strategy). Generally, people seem content with the direction of travel (c300 completed surveys to date).

Resolved and Actions:

- 1.) The Board noted the Strategy update

10. Racial Equality

- 10.1 The Board noted that the draft of our updated EDI action plan had been shared with Sport England who had indicated that EA had set a high standard with this work (in its current draft format).
- 10.2 EA was currently working alongside Sport England to target women from low socio-economic groups and BAME communities to encourage participation in coaching projects. BAME representation on the Board had also increased. EA had been a founding partner in the BEDSA awards project since conception.

- 10.3 The Board noted that inequality still existed in specific areas – there would need to be further focus on insight into understanding why there was under-representation in some areas and what could be done to remedy this (potential barriers, etc).
- 10.4 A view was expressed that insight was important, but that we could twin track action with gathering insight, so we were not standing still. If the Board did not take action, then it would be unlikely that the rest of the sport would as we need to lead in taking positive action to address inequalities. The Board agreed that work needed to be undertaken at the Regional Council level to ensure there was a clear and open route for BAME individuals to progress through the governance structure. Co-options within the Regional Council structure could be utilised to encourage participation within the governance structure.
- 10.5 It would be important for the Board to understand the differences between groups included within the BAME communities – factors affecting equality/inclusion for distinct communities under the BAME umbrella can be very different.
- 10.6 BAME representation was represented differently across track and field (higher BAME percentage) and off-track (lower BAME percentage). Discussions might be appropriate between EA and parkrun to understand the breakdown of participants to see if there are any patterns in the off-track community.
- 10.7 In relation to BAME women in coaching, it would be useful to understand how many individuals progressed to higher levels within the structure and if not, why not, what were the barriers, etc. The recognised pattern was that BAME representation within coaching did trail off higher up the coaching structure.
- 10.8 The Board acknowledged that certain areas of the country were very different in terms of the ethnic diversity levels. It would therefore potentially be more difficult in some areas to secure BAME participation and inclusion if the general numbers of individuals within those populations was low.
- 10.9 A view was expressed that athletics was a relatively ‘low cost sport’ and largely run on a voluntary footing so some individuals who had the responsibility to earn money may not see coaching (primarily a volunteering role) as a viable and worthwhile career endeavour which could be a barrier to participation. This comment could be applied to all people of course.
- 10.91 It was also noted that 20% of Board representation equates to 2.4 people. The targets should reflect whether the Board wish to have 2 or 3 BAME Directors.

Resolved and Actions:

- 1.) The Board agreed that an initial piece of insight work should commence to understand what the barriers are to progression within the sport at all levels and what action might be taken to improve BAME and specifically black participation.
- 2.) Board acknowledged the EDI action plan contents.

11. Compliance with the Sports Governance Code

- 11.1 The Board noted that EA was fundamentally compliant with the Code for Sports Governance. It was further noted that Sport England were seeking to update the Code as it was 4 years since its inception.
- 11.2 The appendices sought to ensure that ongoing compliance with the existing Code could be monitored going forwards.
- 11.3 In relation to 2.7, the Board noted that Remco was responsible for evaluating executive succession planning annually and did so (not Nominations) – this would be removed from work in progress and be marked as compliant on the appendix.
- 11.4 The Board noted that National Council outcomes referred to in “work in progress” refers to the website presence and noted that this would be rectified shortly. Also, the next iteration of the Governance Handbook had been completed (end of July/early August).
- 11.5 The Noms Committee undertakes Board succession planning and evaluation of the skills matrix (2.8) – this would be reflected in the document.
- 11.6 The Board agreed that this information should be included in a future induction pack for Directors.
- 11.7 In relation to the Board intranet, the Board agreed that this should be reinstated.

Resolved and Actions:

- 1.) The Board noted the assessment of compliance carried out by AAC / GC.
- 2.) The Board Agreed the actions and timescales for addressing identified as “working towards”.
- 3.) The Board approved the recommended allocation of ongoing oversight of requirements / compliance.
- 4.) The Board requested that the executive ensure that there is appropriate clarity and resource for managing operational responsibility for the requirements listed above.
- 5.) The Board agreed to the re-establishment of the Board intranet.
- 6.) The appendix to be updated showing compliance following the clarification provided above.
- 7.) Compliance with the Sports Governance Code to be outlined as part of a future Director’s induction pack.

12. Draft Statutory Accounts 2019/20

- 12.1 The Board noted that there was scope up until the accounts are due to be published (September 2020) to outline the position in relation to the outstanding monies owed by DWFF in relation to the existing sponsorship agreement.

Resolved and Actions:

- 1.) The Board noted the draft annual report and financial statements for 2019/20 and the post-audit surplus of £144.8k.
- 2) The Board noted the identified risks relating to DWFF and the Road Race Licence fees accrual.
- 3.) The Board should pass any textual comments to Michael and Peter preferably before the Audit and Assurance meeting on 25th August 2020.

13. EA Board and Committee Meeting Dates 2021

Resolved and Actions:

- 1.) The Board approved the 2021 meeting schedule as outlined at Appendix A.

14. Finance Report – Q1 2020/21

Resolved and Actions:

- 1.) The Board noted the financial update.

15. Committees update:

Strategy TFG – 14.07.20

Resolved and Actions:

- 1.) The Board noted the draft minutes of the Strategy TFG (14th July 2020).

16. AOB

- 16.1 **AGM October 2020:** The plans for hosting the AGM on October were discussed following discussion with the EA lawyers.

- 16.2 The Board acknowledged the importance of ensuring the members were provided with a means of raising any queries in advance of the AGM (due to the likelihood of it being held part physically and part virtually).

Resolved and Actions

- 1.) The Board approved that a physical meeting would be held behind closed doors (with only two natural persons being physically present. One is likely to be the Chair and the other the SID, or another designated independent Director, who would act as proxy in relation to the extension of the Chair).
- 2.) A decision would need to be taken if the existing emergency government guidance was not extended beyond 30th September – a new meeting notice would need to be issued outlining the date, time and location of the physical meeting.
- 3.) A webinar(s) will be facilitated in advance of the AGM so that any questions from the membership can be addressed in advance of the meeting.
- 4.) A high-level map of the timetable and processes associated with the AGM should be communicated to the members (utilising the EA Marcomms team in this regard).
- 5.) Member's completed proxy forms should be copied to John Devine (to ensure further transparency) via post or electronically.

17. **Date and time of next meeting:**

Thursday 10th September 2020, 11.00-13.30, via Teams.

MEETING CLOSED AT 16.25pm.