

## Board Meeting Minutes

### Minutes of the Board Meeting held at 6pm on 16 November 2022, Via Zoom

#### Present

|                         |                 |
|-------------------------|-----------------|
| Graeme Marchbank (GM)   | Chair           |
| Euan Lowe (EL)          | Chief Executive |
| David Beattie (DB)      | Board Director  |
| Jackie Davidson (JD)    | Board Director  |
| Andy Figgins (AF)       | Board Director  |
| Caitlin McClatchey (CM) | Board Director  |
| Kieran Watt (KW)        | Board Director  |
| Brian Hendry (BH)       | President       |
| Fiona Crawford (FC)     | Vice President  |

#### In Attendance

|                        |                                   |
|------------------------|-----------------------------------|
| Deborah McGinniss (DM) | Finance Manager/Company Secretary |
| Elaine Mackenzie (EM)  | Director of Services              |
| Ally White (AW)        | Director of Aquatics              |
| Helen Plank (HP)       | Head of Marketing                 |
| Ian Wright (IW)        | National Coach                    |
| Ollie Summers (OS)     | Performance Programme Manager     |
| Kelly Fraser (KF)      | Minute Taker                      |
| Barry Cook (BC)        | sportscotland Partnership Manager |

#### Item No.

#### Action

##### 1. Chair's Address

The Chair welcomed everyone to the Meeting, in particular KW who was attending his first meeting and the Chair thanked him for his support to the SMT on the culture review and for joining the ARC. The Chair also passed on his congratulations to CM on her new arrival.

The Chair thanked all involved in the organisation and running of the AGM, in particular the outgoing President and congratulated BH on his appointment as President. The Chair commented on the success of the recent awards dinner as it was great to see the aquatic family together and concluded his address by confirming that he has been formally appointed to the LEN Bureau.

##### 2. Declarations of Interest

None, other than those set out in the updated register of interests.

[AW joined the Meeting]

AF declared an interest in his position as tutor and coach when he joined the Meeting.

##### 3. Apologies for Absence

Andrew Dunlop (AD).

DB and BC will join the Meeting later.

##### 4. Minutes of Previous meetings: Board Meeting, 21 August 2022

The minutes of the previous Board meeting held on 21 August 2022 were agreed as a true record.

##### 5. Actions from previous meeting: Board Meeting, 21 August 2022

EL advised the Meeting that the actions are as set out in the paper – most are completed or on the agenda.

Item 6 (wellbeing compliance) – this has been paused to consider for the next AGM. The Chair also advised the Meeting that the Council's recommendation is to proceed with introduction of sanctions as soon as possible.

[AF and OS joined the Meeting]

##### 6. Commonwealth Games Review

[Dealt with after item 7.2]

AW introduced the paper to the Meeting and advised that OS will lead on the presentation. The Chair welcomed OS and IW to the Meeting.

OS presented a table of objectives that was proposed in February 2022, together with an analysis of performance.

The presentation then outlined the review process that took place, as well as feeding back to key partners, including CGS, British Swimming (BS) and **sportscotland**. OS advised the Meeting that there were 18 recommendations following the review and the presentation highlighted the key themes as follows:

- Planning – a number of recommendations focus on planning for the next Games;
- CGS relationship – AW will focus on this in more detail;
- Athlete leadership group – aim to obtain more feedback from athletes; and
- Selections – performance team want to encourage and enhance capability of coaches and clubs to contribute athletes to the performance team.

OS welcomed questions from the Meeting.

CM queried if the athlete leadership group was consulted as part of the review and AW confirmed that there was ongoing feedback from that group, even towards the end of the Games for the swimmers, which has been captured as part of the review. CM queried how the group is appointed and AW advised that athletes were pulled together during Covid and the most recent group was also selected but consideration should be given to peer appointments and athletes being able to put themselves forward.

AF asked how CGS would view recommendation 9 if SS decided not to attend the “Gathering”. AW commented that feedback from athletes has demonstrated that the value of the Gathering is different for different athletes, although he felt that CGS would be disappointed if we decided not to attend entirely. AW also commented on the fact that SS does certain things every year, rather than focusing on every four years as CGS does, but SS is transparent and CGS will receive a copy of the review. AW commented that what is right for the athletes must be at the forefront.

The Chair queried the planning in respect of the next Games given the distance between the venues. AW advised that CGS has not made any suggestion as yet in this regard but it is likely that separate teams will be required for the venues. The Chair also raised a query regarding qualifying standards and IW advised that Covid has had an impact on this and there was reflection on the level being slightly too high and perhaps they could have been widened. IW further advised on the preference to consider having a number at the higher level for our selection policy.

OS responded to DB’s question on how many athletes responded to the questionnaire by confirming that it was 18 out of 34 athletes, which was a significant increase following the preceding Games.

## **7. Items for Decision**

### **7.1 AGM Draft Minutes / Debrief**

[Dealt with after item 5]

EM asked the Meeting to provide her with comments by Monday 21 November to allow the minutes to be published on the website.

[IW joined the Meeting]

### **7.2 AGM Meeting Date & Venue**

EM advised the Meeting that the paper is as read and confirmed that alternative dates have been considered under our governance documentation. EM confirmed the proposal to retain the date of 23 September 2023 for the AGM due to other committed dates in that month.

For the Awards Dinner, following contacting 18 venues, EM confirmed that the Radisson in Glasgow has availability for the AGM, dinner and accommodation and is reasonably priced. EM also recommended considering a hybrid approach and once a venue has been agreed EM can bring forward a paper on this. The Council also considered reverting to a standalone AGM with workshops as there is a difficulty with staff resource and finding a venue to accommodate everything.

[DB joined the Meeting]

EM invited questions, confirming that the contents of the paper have been greatly debated by the SMT. FC queried whether the introduction of the chairs meeting has affected attendance at the AGM and DB wondered if there was an option to make the AGM more participatory. JD noted that where there is no contentious decisions to be made at an AGM then this will mean that less people attend and opined that reverting to a standalone event with more workshops might encourage more participation.

KW queried if this was a uniquely SS issue and what the potential numbers are. EM advised that the number can be up to 500-600 people entitled to attend but the norm has usually been around 100 attendees. EL advised the Meeting that other sports have similar challenges and SS has good attendance in comparison.

The Chair queried if having the AGM and Awards Dinner on the same day is the right format and EM advised that this was the first year doing this after a period of around 10 years of holding the events separately.

The Chair commented on the ability to reduce costs by holding it at the Radisson in Glasgow being a driving factor in choosing that as a venue.

The Meeting agreed to progress with the date currently proposed and the AGM and Awards Dinner being held on the same day in September at the Radisson in Glasgow. The Chair requested that further consideration be giving to making the AGM more engaging.

EL/BH

### 7.3 Draft Aquatics Plan

EL advised the Meeting that this has been an extensive piece of work and handed over to AW. AW advised the Meeting that this is a first draft and there is still work to do but the key thing has been to reflect the connectivity across the organisation and provided the Meeting with a brief overview on the structure of the plan.

FC raised a query on the facilities strategy with regards to the programme for this review. EL advised the Meeting that we have been working with **sportscotland** in order to get the right expertise to carry out this review but this has stalled slightly due to the potential need to follow a tender process that is being reviewed by **sportscotland**.

DB commented on the level of detail in the paper being good and queried the driver for the Aquamark review. AW advised that it was based on the feedback received following the Swimark review and the policies that SS expect clubs to have and AW provided a brief overview on how this will work, confirming that this has been taken back to clubs for feedback before we develop this any further.

The Chair was pleased on the level of detail within the plan but commented on the need to develop a more concise structure going forward.

### 7.4 Transgender Policy Development

The Chair advised the Meeting that the policy is still for discussion at this stage.

[BC joined the Meeting]

JD commented on the level of information but it was felt important to include it all at this stage. Most sports are finding the biggest challenge is around competition but SS is in a fortunate position to some extent with FINA releasing its policy. EL provided further comment on the contents of the paper and on the progress of the other home countries, together with the need of the home countries to come together on this area.

The Chair advised the Meeting that he has not seen any papers to BS as yet but suspects that the approach by FINA will be followed, although there is still work ongoing by FINA.

AF asked what is the next step in the process for SS and there was a discussion on the challenges involved with competition, the need for consultation and support for individuals and the difference in approach taken by LEAP SPORT.

The Chair commented on the need to refer to “competitive fairness” within the paper to clarify this term and ensure that this is the factor being considered. The Chair also invited attendees to raise queries with himself or EL privately if they need to, as well as asking BC to feedback any useful information from **sportscotland**.

Board/  
BC

There was a discussion on aligning with the Swim England approach in terms of categories but the Chair raised an issue with swimsuits and the need for FINA to issue a clarification on its requirements, although SS should have the freedom to set its own swimsuit policy for unlicensed events.

### 7.5 Wellbeing & Protection Strategy Development

CM introduced the paper to the Meeting raising a concern with regards to timelines and so welcomed comments on this particular proposal. EL reiterated the paper's comments regarding the need to change how people view wellbeing, rather than it being strictly about compliance.

The Chair felt that the paper is compliance-focused sets out a good framework for development of the strategy. FC commented on the three-month timeline and the intention to operate a zero tolerance policy. AF noted the need to embed this across all SS activities. KW requested clarity on the current position and where the changes lead to. EL provided clarity on this point and the need to improve on the position as set out in the paper for item 8.2.

### 7.6 Events and Associate Member Status

[OS left the Meeting]

EL introduced the paper to the Meeting by providing the background on it being brought to the Meeting regarding the Edinburgh International Swimming Meet (EISM), which is covered in the appendix to the paper as a reminder of the previous paper presented at the April Board meeting.

DB queried the first condition on status as an organising body and whether there is a need to have that legal status. EL advised that the reasoning behind this condition is to protect SS from liability but agreed that this needs to be further defined and DB was happy to assist with this.

EL/DB

FC queried if there is a requirement for the body to prove they have their own insurance if it is not covered by SS insurance and EL agreed that this should be included. The Chair noted that SS should have the power to remove associate membership.

EL

The Board agreed that EISM will be treated on this basis.

## 7.7 Masters Regulations

The Chair welcomed questions on the paper and EM advised the Meeting that the changes have come from the Masters Committee.

The Board approved the changes set out in the paper.

## 8. Items for Discussion/Information

### 8.1 Finance Report (Quarter 2)

DB advised the Meeting that the budget will hopefully be balanced by the end of the financial year. DM reiterated the focus of the SMT to produce a balanced budget. There is a £30k difference in income, which is largely down to kit sponsorship and invoices will be issued shortly with the aim to reflecting this in the next report.

DM also noted spend that has been set aside for certain activities, including appointing a consultant for the facilities review as EL has already mentioned. Generally, we are on track with figures and the priority over the next six months is to deliver the balanced budget.

The Chair commented on the need to accelerate activities where this is possible.

### 8.2 Wellbeing & Protection Update

EL introduced the paper to the Meeting, including the paper for item 8.2.1, and highlighted the technicality around SS being able to refer individuals to Disclosure Scotland, confirming that SS is now able to do this. There has also been turnover in WPOs, which has impacted on the numbers.

The Chair requested that previous numbers should be included to give the Board oversight on the trends.

EL

#### 8.2.1 Wellbeing & Protection - Compliance Communication Plan

EL advised the Meeting of the Council's desire to bring these sanctions in as soon as possible – EL confirmed that there does need to be time given to communicating the introduction of these sanctions and the timelines set out in the paper reflect what is achievable in his view.

CM queried the 1 June timeline fitting in with the introduction of the new wellbeing strategy and EL confirmed that he understands that this will have been taken into account.

There was a discussion on the timelines involved with regards to the progress that has been made to date and the need to ensure enough time for training.

[JD left the Meeting]

### 8.3 Strategy Six Month Progress Report

EL introduced the paper and expressed his thanks to the SS team for their work in making progress on the targets. DB suggested publication of our progress to members for the purposes of openness and transparency. The Chair agreed, particularly that the KPIs are more aligned with what our members would want to see. EL also agreed suggesting the format would need to be reviewed and opened up the suggestion to the rest of the SMT. AW queried how this would sit against our Annual Report.

EL

#### 8.3.1 Strategy Six Month Progress RAG Rating

AF noted a typo with "consolation" for 2.1. The Chair requested that 3.1 is progressed as quickly as possible.

EL

### 8.3 New Risk Framework Update

DB advised the Meeting that the ARC welcomed the proposal in the paper but raised the concern about making the process too complex and recognised that time will be needed to embed this. DM advised the Meeting that the SMT has an away day at the start of December to focus on bringing this register together with support having been sought from Harper Macleod and sportscotland. There is a lot of work to be done but the intention is to bring a paper to the February Board meeting. The Chair asked EL to raise the possibility of the home countries sharing risk registers at the next CEO meeting and DM confirmed that we have received the BS risk register.

DM  
EL

### 8.4 ARC Minutes

DB advised that the minutes are as read and looked forward to welcoming KW to his first meeting. The Chair queried the reference to discrimination being brought to the Board and EL confirmed that this formed part of the wider equality piece.

## 9. Reports from the Company

### 9.1 Management Report

#### Services

EM advised the Meeting that all recruitment has been completed with a new people development manager being appointed. All staff will attend Inverclyde overnight for team building on 28/29 November. EM also requested all Board members to pass her appraisal paperwork and that she had a meeting with the head of our complaints panel as we are looking to recruit additional members following an appeal that could have been handled more efficiently. EM also asked BC to consider if sportscotland could assist with external members. BC advised that there is a service provided by SSA, which has been used by other governing bodies, and he was happy to look into this further.

BC

DM had nothing to add and there were no questions.

#### Marketing and Communications

HP advised the Meeting that she is picking up work for active communities with EL, which will be covered in the next Management Report. **HP**

#### More Swimmers

AW advised the Meeting that progress is being made with school swimming with a communications plan now agreed and will be issued shortly to key stakeholders. The phase 2 approach, which is wider implementation of school swimming, has already begun.

#### Stronger Clubs

AW advised the Meeting that the volunteer strategy is currently undergoing consultation and a chairs meeting has just been completed with good feedback. AW also highlighted that there is further information on Aquamark within the paper. FC added that the volunteer strategy has been issued.

#### Supporting Athletes

AW and IW had nothing to add but AF queried progress on Projects Ailsa and Craig following Covid, as well as consideration of female and distance swimmer performances. IW advised that the aquatics plan highlighted the need to address our weaker areas, including distance, and that as he was aware, the two projects no longer exist but AF was right to flag the need to assess female performance. **IW**

#### **9.1.1 Legal Items**

None.

#### **10. Directors' Reports – verbal**

None. The Board agreed to remove this item from the agenda.

#### **11. British Swimming Update – verbal**

The Chair advised the Meeting that the AGM took place and the appointment of Karen Webb Moss as the first permanent female chair of British Swimming was endorsed and the Chair provided some background on her extensive experience. The next priority will be the appointment of a permanent CEO with the deadline for applications closing shortly. There will also need to be a new senior independent director and non-executive independent director appointed, which the Chair will be involved in. BS is also moving towards a single team approach with the disciplines following a two-day event where all disciplines came together, finishing in its awards dinner.

#### **12. AOCB**

EL advised the Meeting that the school swimming association is an Associate Member following the earlier discussion and the question has been raised as to whether the Board would agree to waive their affiliation fee for this year in order to encourage participation. The Chair opined that the fee should not be waived to avoid setting any precedent but that SS considers making a donation to the amount of the fees that would be waived. FC queried the sum and EM thought the amount was circa £300. The Board agreed to collect the fee but make the equivalent donation in return. **EL**

EL extended an invitation to Board members to attend the staff Christmas party within the office on 14 December – any Board members who would like to attend should inform EM.

EM asked the Chair to consider if the next Board meeting is to be an overnight event, which used to be the case prior to Covid. The Chair felt that this is a good opportunity for Board members to connect and the other Board members agreed.

#### **Date of Next Meeting(s):**

Saturday 4<sup>th</sup>/Sunday 5<sup>th</sup> February 2023 – Meeting & Training TBC

|           |                                  |                 |                |
|-----------|----------------------------------|-----------------|----------------|
| <b>cc</b> | Board & Council                  | Editorial Board | Harper Macleod |
|           | Barry Cook, <b>sportscotland</b> | National Chairs | Kevin Reynard  |