



## MINUTES

Of the meeting of the **British Water Ski & Wakeboard Board** held on **Wednesday 31<sup>st</sup> January 2024** via **Video Conference Call**

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### 1. To Record Attendance and Apologies for Absence.

**Present:**

Martin Winter  
Steve Sopp  
Andy Phillips  
Michael Lock  
Richard Fogden  
Anny Wooldridge  
Patrick Donovan

Kylie Cooper

**Apologies:**

Margaret Curtis  
Keir Boissevain

Martin welcomed everyone to the meeting and introduced the attendees and their roles on the board for the benefit of the new directors. Martin stressed that whilst board minutes were publicly available confidentiality was highlighted as an important point for many board discussions.

### 2. Declarations of Interest.

There were no changes made to the register of members interests, newly appointed directors had completed a declarations of interest submission on appointment. Martin reiterated his interest as the father of an elite skier, not least in the context of the Sport England funding obligations which were not directed at performance.

### 3. Approval of the Minutes of the Meeting Held on 23<sup>rd</sup> November and 8<sup>th</sup> December 2023.

The minutes were reviewed and unanimously approved by those who were present at the previous meetings. A very minor amendment was made to item 6c within the November minutes and these were republished.

### 4. Matters Arising not Covered by this Agenda.

a) New finance staff member induction taking place ongoing and settling in, Andy was on track to produce a set of management accounts for the period up to end of December 2023 for the 22<sup>nd</sup> February board meeting.

b) On IWWF matters ongoing there were no further updates or substantive response to recent communications to include the Racing 'next step' letter sent by the CEO in December, however a meeting in relation to this to include IWWF and GB representatives had now been scheduled for 8<sup>th</sup> February

(c) Andy had nearly finished the 2023 appraisals for ongoing board members and Martin had done the same for the three retiring directors with Peter James still to confirm his appraisal.

(d) The external board evaluation was now deferred to 4 April because of the availability of the assessor.

### 5. Board Briefing.

a) Wednesday Sub-Group Meetings – in 2020, following the announcement of the first COVID 19 national lockdown, the BWSW board formed a sub group to consider and navigate

the implications of such a sudden change to the economic and sporting environment. The Sub Group has continued to meet weekly and has expanded its ambit beyond the implications of COVID 19. Historically, the Sub Group has been formed of the CEO, the Chair, the Vice Chair, the Chair of the Driving and Coaching Development Working Group, the Treasurer and key staff, however, it is open to all members of the BWSW board who have the time and wish to participate, the terms of reference had been circulated prior to the meeting and no comments were raised on these.

b) Affiliation Requirements – BWSW affiliation requirements included an accreditation scheme for commercial pay and play providers who were not membership based. However, where there was a membership scheme accredited sites were obliged to join members to BWSW. The accredited sites included cable tows and ski schools. An extensive review of the accreditation scheme had taken place over the last 18 months to include external professional advice. The newly revamped papers for the overall scheme, to include the two-yearly site visit and newly restated check list were circulated prior to the meeting for comment. It was noted that the operation of the scheme was a significant commitment of limited resource considering the income generated and limited membership take up. However, it was noted that cable and the broader pay and play market was important given its observationally larger and much more diverse participation levels. Gathering data to evidence this had already been identified as a key issue to take up with cable operators including via the e-membership scheme.

The board reiterated the fundamental BWSW requirement that as a condition of affiliation member clubs had to sign up their members. An informal committee of Martin, Andy and Steve would look at ensuring this requirement was fulfilled.

c) Racing - The board noted its disappointment that it had received no substantive response to Patrick Donovan's email of 1<sup>st</sup> November to Louis Polome, IWWF Secretary General. Patrick's email responded to the EC Racing minutes of 27<sup>th</sup> October widely distributed by Brit Horemans on 31<sup>st</sup> October 2023 as indicated on the distribution list below. This email states that "rule 3.01 must be amended to accommodate for cases whereby skiers are unjustly not endorsed by their home federation" clearly referencing BWSW. Given the clear third party advice (as advised on several occasions to IWWF) as to the risk of criminal prosecution and unlimited civil liability for BWSW (and potentially its directors) arising from the existing racing paperwork (in particular relating to site evaluation and competitor qualification) this minute was considered wide of the mark and a somewhat unhelpful communication medium.

**Action:** Patrick Donovan as the BWSW representative to make the following clear in relation to the EC Racing report at the forthcoming EC Congress.

As IWWF and EC members know BWSW has had two third party safety reports (shared with IWWF and EC representatives) from which it is clear that BWSW and its directors would, as a result of inadequate paperwork relating in particular to (i) participant qualification and (ii) site evaluation, be at risk of criminal prosecution under UK Health & Safety legislation and also civil liability substantially in excess of BWSW's assets if an adverse incident occurred at any BWSW sanctioned event. This would also apply if it issued international licences in such circumstances and BWSW had set this out in a letter of 1<sup>st</sup> September 2023 to various senior IWWF and EC racing personnel. This letter also set out a constructive proposal, at BWSW's cost, for issuing international licences to UK competitors at the Worlds Racing Championships starting in early November. This proposal took on board the lack of motorised insurance. There was no response to this letter until late on in October (prior to which it was a fair assumption that the offer was rejected). In late October it appeared, following a meeting at the IWWF Waterski Worlds, that the terms of the 1<sup>st</sup> September letter were now accepted. BWSW asked for identification of the relevant competitors and proceeded, amongst other things, to commission risk assessments in relation to all such competitors. IWWF Racing will formally be sent a note of this and requested to include it in their next minutes.

BWSW remains concerned at the lack of clarity to competitors resulting from IWWF Racing rule 3.04 (first raised with IWWF in early 2021) and EC rule 3.03 which appears to effectively permit uninsured events in terms of competitor liability to other competitors in the context of motorised

activity. BWSW required UK competitors to acknowledge this fact, in writing, as a prerequisite for issuing licences at the November world championships and believe EC/IWWF should do the same.

Distribution of Brit Horemans' email of 31<sup>st</sup> October 2023 was made to the following:

THE EC FEDERATIONS  
TO THE ADMINCOM COUNCIL MEMBERS  
TO THE RACING COUNCIL  
TO THE COUNCIL & IWWF PRESIDENT AND SECRETARY  
TO THE RACING OFFICIALS

d) Nominations / Remuneration / Finance & Audit Committees - it was agreed that the Nominations Committee would consist of the Andy, Kylie, Anny and the CEO. The Finance & Audit committee would consist of the Chair, Treasurer and CEO. The HR and Remuneration Committee to include the Treasurer, Vice Chair and CEO, with the Chair's input in any CEO related HR and remuneration related matters.

e) Senior Independent Director – Richard Fogden was appointed to this role (a requirement of the Code for Sports Governance). Martin said that in the corporate code the senior independent director is someone in touch with shareholders and ready to take up any issues they had in particular as regards the chair. This was not evident from the sports code but now that there was a senior independent director with a greater historic involvement with those in the sport this was now a more readily achievable role in the BWSW context.

f) EDI Lead Director – Anny Wooldridge was appointed to this role (also a requirement of the Code for Sports Governance). Anny had recently had an introductory meeting with our EDI Lead Cathy Hughes.

**Action:** Patrick would follow up with Cathy on a number of the identified 2024 priorities. Patrick would send the various introductory documents sent to new directors covering good character and integrity for any comments, confirm the appointment of the EDI lead so that Anny/Cathy could reactivate the EDI group, send the recruitment policy for comment and confirm the make up of the nominations committee agreed earlier in this meeting which reflected a younger and more diverse make up than seen in the board generally.

g) Initiations - it is BWSW policy that ALL initiation ceremonies of whatever type are strictly prohibited (regardless of the perceived harmlessness, consent or willingness of individuals to participate). What one person perceives to be fun may be deeply traumatising for someone of a different disposition. It is irrelevant that the intent may be benign or that some people find it acceptable fun or that a third party feels able to take a subjective view it is well intentioned etc. The policies of all other IWWF Federations should be the same and (to our knowledge are) but we have to be conscious of the possibility of our athletes going to events where this or similar policies are not observed (as clearly happened at the European Waterski U21s this summer). This policy of an absolute ban is included in the GB squad contract, a breach of which is a disciplinary issue. BWSW also gives assurances each year to the Child Protection in Sport Unit (part of the NSPCC) that its anti-bullying and safe sport policies prohibit all forms of initiation.

In an autumn 2023 communication Patrice Martin, the President of the European Confederation, had responded very positively to the BWSW concerns raised and had committed to advise Federations that the IWWF Safeguarding Regulations effectively forbid initiations to take place and that a communication to all Federations will remind them of the Regulations and the other IWWF Safe Sport policy. Martin had further followed up on this point in December 2023 with a number of points including that the IWWF Safe Sport Committee should be involved in direct communication to confederations to emphasise the importance to IWWF. There had been no response. .

**Action:** Martin was asked to follow up on this point.

h) Safeguarding Meeting – no Lead Officer summary report received as requested by Patrick for today's meeting. Martin said we still had not sorted the conditionality on our CPSU approval

which now a long outstanding and important priority.

**Action:** Patrick would follow up with our Lead Officer with a request to arrange an urgent BWSW meeting for 6<sup>th</sup> February to clarify our current compliance status and the key timeline for meeting our compliance requirements (which were a condition of continued funding) by the deadline of 31<sup>st</sup> March.[Note: A meeting has since been confirmed]

i) BWSW Overview Document – the principal aim of this document was to provide a summary overview of the structure of the organisation and its scope of activity and broader responsibilities in particular for newly appointed directors as part of their induction. Whilst at a draft stage (latest version January 2024) the document had been provided to new directors as part of their induction pack.

**Action:** Any comments on the document to be sent to Martin and Keir.

## 6. Board Related Matters.

a) E&A Congress, Paris – Patrick and Kylie would attend the Congress as appointed voting delegates, both would present the GB bid to host the 2026 European Congress and attend the lifetime achievement award presentation to former BWSW CEO and IWWF Secretary General, Gill Hill.

b) Code for Sports Governance GAP (Governance Action Plan) Response – in mid-January Sport England had confirmed, following on from the latest BWSW GAP submission, that satisfactory completion of the GAP should result in an assessment of compliance against all areas of the Code for Sports Governance (apart from Requirements 2.1 – 2.3, which are being managed separately through the Diversity and Inclusion Action Plan process). BWSW's intended actions identified in the GAP and clearly outlined in the November 2023 Board minutes, would now need to be completed within the timeframe agreed and Sport England had now requested a full update (and submission of the required supporting evidence) by 31<sup>st</sup> March to complete this process.

**Action:** Patrick would review the GAP response and Code items 4.7 and 5.2 as raised in the meeting by Martin in relation to any draft response. Additionally in terms of the Advisory Council rotation a matrix would be produced outlining those members who were potentially close to completing 3 terms of 3 years on the Council as part of the democratic process to appoint new members where required.

## 7. Confirmation of Future Meeting Dates.

### Board

Thursday 22nd February	9AM
Thursday 4th April	9AM
Thursday 20th June	9AM
Thursday 5th September	9AM
Thursday 17th October	9AM
Thursday 21st November	9AM

Some additional meetings may well be required to address ad hoc issues and the proposed time for these meetings is 9am on Wednesday mornings.

### Board Sub-Group

Wednesdays	9AM
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**Advisory Council** TBC

**AGM** TBC

The meeting closed at 11:40.

**Minuted by:** Patrick Donovan, CEO