



MINUTES

Of the meeting of the British Water Ski & Wakeboard Board held on Thursday 23rd November 2023 via Video Conference Call

1. To Record Attendance and Apologies for Absence

Present:

Martin Winter
Steve Sopp
Peter James
Michael Lock
Margaret Curtis
Nick Fellows
Clare Lobb
Patrick Donovan

Kylie Cooper
Keir Boissevain
Andy Philips
Maria Bristol
Mike Casey (item 6a / 6e)

2. Declarations of Interest.

There were no changes made to the register of members interests.

3. To Approve the Minutes of the Meetings Held on 5th October and 19th October 2023.

The minutes were reviewed and approved by those who were present at the respective meetings (with some very minor amendments made).

4. Matters Arising not Covered by this Agenda.

Action: Michael would follow up on a point regarding the qualifications matrix within the minutes of 5th October, this related to the additional input required from Matt Crowhurst and Suzi Nightingale in relation to cable. Additionally, there was a board concern noted re the format and unclear scope of a coaching course. Michael would also follow up with Matt on this point to validate the course and course fees to enable the issuing of any candidate certificates.

5. To Note Items for AOB.

None recorded.

6. Board Related Matters.

a) Introductions – Maria Bristol who had expressed an interest in standing for election to join the board and Mike Casey, our newly appointed safeguarding lead joined the meeting for a short introduction and to meet the board members. Both introduced themselves and provided a short summary of their professional background and interest in the sport.

b) Finance Report – with the postponed audit now close to completion and with a draft set of revised accounts now with Menzies for final checking in terms of the numbers, the 2022-23 year end showed a modest surplus of £5k. An adjustment had been made regarding the Lascelles Fund with last year's closing balance restated as £nil (as opposed to a small negative balance of -£17). Following on from some further redrafting of the narrative within the financial statement the document would imminently be circulated for board approval. The statement would have a revised non-statutory section added in relation to the reconciliation of grant monies and the deferred grant income e.g. in relation to the funded IT project and Talent to better meet the compliance requirements of Code item 5.5. Recruitment was ongoing in terms of the vacant finance role with a key aim to fix / improve the finance function with clear

and timely reporting available for board meetings in order to support business decisions.

Action: Friday 8th December at 9am meeting invite to be circulated re approving the final accounts.

c) AGM – Board Rotation & Candidates Standing for Election. Nick, Clare and Peter would stand down at the next AGM, a note of thanks to all for their time and input. A recruitment drive was currently underway in terms of independent directors and the AGM Notice would imminently be circulated and nominations were invited.

d) Board Sub-Group Terms of Reference – In 2020, following the announcement of the first COVID 19 national lockdown, the BWSW board formed a management sub-group to consider and navigate the implications of such a sudden change to the economic and sporting environment. The group had continued to meet weekly and expanded its ambit beyond the implications of COVID 19 into a general management committee with a main remit being to assist HQ to implement BWSW board decisions. The terms of reference were unanimously approved with a slight tweak to the name of the sub-group to include the term ‘implementation’ or ‘support’ or similar to be considered further.

e) Initiations – There had been a report to the waterski committee from a UK team member’s parent that initiations had taken place as a part of the formal last night dinner proceedings at the European Waterski under 21s in August. This was apparently in the presence of senior IWWF officials (described by the parent as “part of the entertainment”).

Martin had taken this up with the IWWF Executive Board on the basis it looked like there was a systemic failure in terms of education and training rather than any malign intent on the part of individuals necessitating an investigation. Martin had discussed his response with the parent. There was some discussion around Martin’s belief that the incident had occurred in good faith and was based on unfortunate old style thinking/entrenched culture rather than anything else. Martin said he thought the situation was straightforward: initiations were totally unacceptable. The message needed to be got across with future transgressions leading to consequences. Martin referred to the constructive response received from Patrice Martin, the EC President, which he had circulated previously to the board. This detailed how EC would deal with the issue in a thorough going way.

Board members commented that the IWWF/the IWWF safe sport function should not just pass the matter to the hosting confederation. The view was generally endorsed that this needed to be taken up sport wide by IWWF so that the other confederations could take similar action. There was a general consensus that no effort should be spared by IWWF in stamping out initiations throughout the world to avoid the risk of repetition. For the protection of the sport, IWWF needed to both take action and be seen to take action.

Another suggestion was that for the time being, at least, the absolute ban on initiations should be raised, on a mandatory basis, at all team captains’ meetings at titled events where those under 21 were participating.

The UK parent and team captain’s intervention at the event, on behalf of British competitors, was noted as timely and to be applauded.

Martin was asked if he had seen any of the videos taken. He said not but accepted this heightened the reputational risk.

Martin reiterated that the parent who had made the report had requested that, whilst happy to answer questions, their identity be protected as confidential. This must be respected. As regards education and training of competitors and officials in the UK this was being taken up through the BWSW Safeguarding Lead Mike Casey. Clearly there were communication failings in the UK also. Suzi Nightingale had produced a Cable presentation document based on the pro forma squad contract with some very helpful commentary included on initiations. This should be adapted and used more widely by other UK disciplines. Kylie was asked to circulate to discipline chairs, once signed off by Mike. Martin would ask Suzi for a Word

version. Mike advocated the need for a proper welcome / induction process with mentors etc for new team members.

Martin was then asked if he had heard from IWWF on the matters raised at Congress and/or subsequently. These were more specifically:

- The move to Switzerland and the suggested note to members Martin had produced immediately following the Congress Meeting setting out next steps so as maintain momentum for the move (BWSW had been asked to assist): NO (it was possible that IWWF was proceeding in any event but he simply had no information).
- The breach of the IOC Code of Ethics in terms of abolishing the Ethics Commission and removing the prohibition on sponsor interference in the sport: NO (the President had said informally that he had been poorly advised and would read the Code of Ethics).
- The atypical and very circular nature of the new disciplinary/appeals procedure: NO
- The apparent breach of the Basic Universal Principles of Good Governance contained in the IOC Code of Ethics in terms of not having an external auditor sign off audited accounts and line items on officials travel budgets: NO

Martin agreed that he would, for the record, follow up on the problem disciplinary and appeal procedures IWWF had adopted and ratified, at Congress, in any event (which he had not yet done). The new procedure was very much internal to IWWF. It was therefore inconsistent with the approach taken by all international governing bodies of which he was aware. Martin would send the Sports Resolution offering, IWWF's own safe sport procedures and BWSW's own Code of Conduct. All of these imported a good degree of independence through third party involvement. He perceived the probably unintended consequence of the new disciplinary procedure was to open up any disciplinary process IWWF undertook to serious challenge from anyone with resources - which would help no one. Martin said he would put this on the to do list and try to have actioned it by the next board meeting though his current list on UK matters was a long one.

f) Racing:

- World Championships:

BWSW had issued international licences to five crews (some overlap between them in terms of composition). This was essentially on the basis of the 1 September BWSW proposal put to IWWF ie (to recap):

- IWWF to identify UK competitors who had expressed an interest/been issued invalid licences by the breakaway organisation for the purposes of the World Championships.
 - IWWF to write a letter to BWSW giving assurance regarding site safety and waiving byelaw 16 requiring specific insurance coverage ("assurance letter")
 - UK competitors to acknowledge lack of insurance and its implications. Also lack of research on skier helmets
 - A risk assessment on each competitor from health and safety consultant John Puddifoot
- The IWWF Bureau had, following the delivery of a suite of documents to implement the above, indicated initially that there was an issue on the identity of the signatories to the assurance letter. Then shortly before the scheduled start date for the competition IWWF indicated that they had an issue with the wording of the assurance letter itself. The amended IWWF letter that was then unilaterally issued by IWWF was fine for BWSW purposes in terms of issuing international licences given the retained reference to site safety. Whilst the reference to byelaw 16 had been deleted it was incontrovertible that BWSW was not taking any responsibility for UK competitor insurance as required by that byelaw pursuant to the suite of documents referred to above, the 1 September letter and other correspondence.

The meeting noted its concern that IWWF had, in their redraft, appeared to seek to put all responsibility for competitor insurance on Ski Racing Australia. IWWF could not “unknow” that the existing SRA insurance policy did not cover on water activity. The relevant exclusion had been read out to IWWF in the call shortly before the issue of the 1 September BWSW letter and it was referred to in the letter itself. IWWF presumably also knew what was in the event bulletin in terms of the stated existence of public liability insurance “whilst competing” (to be obtained by purchasing the obligatory SRA insurance policy). Martin read out the relevant insurance exclusion and the event bulletin provision referring to personal accident and public liability. The nub point was that GB competitors knew there was no effective insurance for the principal risk area through their written acknowledgement. It seemed doubtful that the same could be said for the other competitors, at least if they were relying on the IWWF/SRA documentation. BWSW had variously referred to IWWF’s needing to seriously consider its responsibilities in terms of insurance communications to competitors. Martin agreed that it would be wrong to be put off making these points and others just because they were unwelcome. Steve related to the board the meeting at the worlds where BWSW had stressed that competitors needed to know the position. It was not lack of insurance BWSW was highlighting it was the fact that competitors needed to be fully informed as to the position.

Peter James had suggested Martin contact any BWSW members on the IWWF board to point out these issues for their own protection. Martin would give this some as regards doing this in a very low key way. He did not want any approach to be misconstrued by IWWF.

The meeting noted the IWWF Racing Council meeting minute dated 27 October which effectively accused BWSW of unjustly failing to endorse GB racing competitors. The fact that EC Racing takes no cognisance of BWSW’s clearly explained lack of insurance, exposure to criminal prosecution under UK health and safety legislation and unlimited civil liability as a result of the identified paperwork failings in terms of site evaluation and competitor vetting was noted as disappointing. It could not be described as auspicious in terms of a sensible future dialogue.

- UK sanctioning: John Puddifoot has since issue of the international licences for the world championships been working on material promised by Racing for 1 September and received on 17 October. There had been an exchange of emails with a Racing Committee member who sought to blame BWSW for delays. Martin and Patrick had each responded and it was agreed that there was little value in entering into further correspondence whilst Racing’s focus needed to be on making sure John Puddifoot had the necessary information. Copies of the email trail would be stored electronically with these minutes.

The meeting congratulated John Puddifoot in turning round the risk assessments for the Racing World Championships under huge time pressure and thanked Kylie for her out of hours contribution yet again.

7. Code of Sports Governance Assessment (see table of notes for clarification below)

In terms of ongoing compliance with the Code and the BWSW submission relating to the 7 new requirements within the revised Code, a preliminary Sport England assessment received outlined partial compliance in three areas and required a further response from BWSW in terms of actions and clarifications to achieve full compliance. As part of the BWSW response to this assessment and intended actions the following points were highlighted to the board:

a) Board Skills Audit 1.3 – it was logical to conduct the skills audit post AGM following on from the rotation and elections.

b) Board Appraisals 4.2 – Andy Philips had kindly agreed to lead on the next round of 2023 board appraisals, board members had been asked for any final feedback on their 2022 documented appraisals.

c) Committee Evaluations 4.2c - BWSW had acknowledged a gap in this area, it was agreed for the next round of committee evaluations to be scheduled in early March 2024, format to be decided.

Action: Patrick would forward to Martin an assessment template utilised by BWSW in the past for consideration which could potentially assist with this task.

d) Externally Facilitated Board Appraisal 4.3 – last held in September 2019, this 4 yearly process would now be rescheduled with a suitable person to be appointed to carry out this task (to be discussed further offline following Andy’s suggestion of a potential person).

e) Board Papers Cover Template 4.7 / 5.2 – it had been highlighted in the assessment that there was a need to clarify what system / process / actions the Board had put in place to ensure it factors impact on stakeholders, wider society and the environment into the decisions it makes and the actions implemented by the organisation. A suggestion was to use a standard format template for the start of each Board paper which might include whether the paper is for decision or for info, a brief summary of what is being asked of the Board, and other cover sheet items relevant to BWSW needs. This could also include a section on welfare and safety (4.7) and on Social and environmental governance (5.2). Patrick had produced a sample specific to BWSW which was circulated however there was a consensus that it did not particularly provide a significant system that could not be provided by the meeting agenda itself and the minutes of a particular meeting in terms of logging of actions and any related notable, potential impact.

Action: Andy would discuss this point off line further with Patrick.

f) Assessment of Available Finance Skills 5.3 - it was agreed to add a new section to the annual board skills audit / matrix to include a broader annual assessment of financial skills across the finance director, sole staff member responsible for finance and senior staff who have a back up role in ensuring the finance function runs smoothly (e.g. during periods of holiday). A review to be carried out annually in the early pre- season operational planning phase and budget development phase (each February). A review of the staff finance role had actually taken place during mid 2023 with the role description now upgraded to include the need to hold a formal accounting qualification e.g. AAT, more senior experience in audit processes, management accounts and reporting to the board.

8. Confirmation of Future Meeting Dates.

Board TBC

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 09:00

Advisory Council TBC

AGM
Sunday 14th January 2024 13:00 Queens Club, London

The meeting closed at 16:15

Minuted by:

Patrick Donovan
CEO

Code of Sports Governance Assessment and Related Points

Item	Notes	Timeline
1.3 Each organisation must maintain an up-to-date matrix detailing the skills, experience, diversity, independence and knowledge required of its Board.	Last skills audit was in 2022	Post AGM 2024
<p>4.2 The Board, led by the Chair, shall:</p> <p>a. undertake and maintain in writing a record of an annual evaluation of its own skills, performance, and effectiveness;</p> <p>b. undertake and maintain in writing a record of annual appraisal of each individual Director, and CEO;</p> <p>c. undertake and maintain in writing a record of evaluations of its Committees (Committee evaluation need not be undertaken annually); and</p> <p>d. agree and implement a plan to take forward any actions resulting from the evaluations.</p>	<p>Board appraisals re 2023</p> <p>Committee evaluations</p>	<p>January 2024</p> <p>March 2024</p>
<p>4.3 The Board shall:</p> <p>a. undertake an externally facilitated evaluation of the Board at least every four years, or at the request of UK Sport/Sport England; and</p> <p>b. agree and implement a plan to take forward any actions resulting from the evaluations.</p>	External board evaluation was September 2019	TBC
<p>4.7 The Board shall ensure its responsibilities towards the welfare and safety of its members and people (including but not limited to employees, participants and volunteers) are factored into the decisions it makes and shall appoint one of its directors to take a lead in this area.</p> <p>5.2 The Board shall ensure it factors impact on stakeholders, wider society and the environment into the decisions it makes and the actions implemented by the organisation.</p>	<p>SE Comments:</p> <p>Please provide a summary of what system/process/actions the Board has put in place to ensure its responsibilities towards the welfare and safety of its members and people (including but not limited to employees, participants and volunteers) are factored into the decisions it makes.</p> <p>Please provide a summary of what system/process/actions the Board has put in place to ensure it factors impact on stakeholders, wider society and the environment into the decisions it makes and the actions implemented by the organisation.</p> <p>Suggestion - One way of addressing this is to use a standard format for the start of each Board paper which might include whether the paper is for decision or for info, a brief summary of that is being asked of the Board, and other cover sheet stuff relevant to your needs .This could also include in it a section on welfare and safety(4.7) and on Social and environmental (5.2).</p>	TBC

Item	Notes	Timeline
<p>5.3 The Board shall be responsible for ensuring that it and the organisation's staff have the relevant competence and qualifications in financial matters.</p>	<p>SE Comments:</p> <p>Please provide a summary of what system/process/actions the Board has put in place to periodically ensure and record that the organisation's Board and finance staff have the relevant competence, skills and qualifications in financial matters to meet the organisation's needs.</p> <p>Please explain how often this review of financial skills will be carried out.</p> <p>Suggestion - Annually, when the forward business plan is set or reviewed, use a two part matrix as per requirement 1.3, to consider what finance skills the organisation has now and what skills it needs to have, to complete the business plan and to financially manage the organisation as it will become after fulfilling the business plan.</p> <p>BWSW Response: Annual evaluation of broader finance related skills to take place as part of the annual skills audit process with new Finance Director / Finance Manager post AGM.</p>	<p>Incorporate assessment of skills and broader financial competence as part of 1.3 skills audit matrix</p> <p>Annual</p> <p>Post AGM - completion of finance aspect of evaluation set for mid Feb 2023).</p>