

Minutes

Meeting Details

Meeting Name	UKAD Board Meeting 39
Date	5 February 2019
Time	10:00 – 13.00
Location	Fleetbank House
Attendees	<p>Nicole Sapstead (NS) Philip Bunt (PB) Matthew Johnson (MJ) Pat Myhill (PM) Gareth Wellings (GW) Resham Kotecha (RK) Hamish Coffey (HC) - item 12 Emma Price (EP) - item 12 Amanda Hudson (AH) - item 14</p>
<p>Trevor Pearce CBE QPM (Chair) TP Pippa Britton (PBr) – by telecon Nicholas Griffin QC (NG) Professor Nicola Philips OBE (NP) Sarah Winckless (SW) Dr Claire-Marie Roberts (CMR) David Segar (DS) DCMS</p>	

Welcome & Apologies

Presented by Trevor Pearce

1. Welcome

TP welcomed all attendees and congratulated NP on being made an OBE in the Queen's New Year's Honours list. PBr joined the meeting via conference call. Apologies were noted from Dr Frances Akor (FA) due to her maternity leave.

2. Approval of Minutes and Matters Arising

Following clarification around several actions pertaining to the last meeting, the Board accepted the minutes as a true record of the previous meeting.

3. CEO Update

NS presented her quarterly report, the contents of which were discussed by the Board and included an update on cases and legal matters; staffing; stakeholder engagement and events.

In relation to a complex on-going case NS highlighted that she would update the Board before its next meeting as appropriate. It was also agreed that a generic warning around the potential danger of consuming out of date medicine and

supplements would be issued, encouraging particular vigilance in this regard. **RK to liaise with the Communications team by end March 2019.**

Recent stakeholder events were highlighted and the success of the recent Clean Sport at the Front Line conference was acknowledged. Formal thanks were extended to NP and CMR for their participation.

MJ brought the Board's attention to a bill introduced to the US senate (Rodchenkov Anti-Doping Act) which, if passed, has potentially significant implications for British athletes. USADA has been heavily involved in drafting the content although its intentions are not fully clear. The Board discussed the need for the relevant UK government department to engage with the US and to closely follow the bill's progress through congress. **DS to discuss with DCMS lawyers and engage with other relevant government department colleagues.**

4. Report from the Audit and Risk Committee

It was noted that as the Audit and Risk Committee had met on 30 January 2019 the minutes were still being finalised and would be circulated at the earliest opportunity. The most salient points related to the Finance Report and proposed budget and would therefore be raised under items six and nine of the Board agenda.

5. Report from the Athlete Commission

It was confirmed that the Athlete Commission met on 23 January 2019 and minutes were therefore still being completed. RK shared details of the key discussion topics namely; the assurance framework, General Data Protection Regulation (GDPR), international strategy and image and performance enhancing drugs (IPEDs). It was agreed that two members of the Commission would be selected to attend the forthcoming WADA symposium and applications had been received. Subsequently an invitation had been extended to member Ali Jawad to speak at the conference. SW noted the committee members' considered, collective response to WADA's ruling in relation to Russian compliance.

6. Finance and Resources Report

The report was noted, and the Board acknowledged the planned one-off expenditure expected in Q4 and the resultant forecast to close the year approximately 2% under budget. Following detailed discussions at the recent Audit and Risk Committee, NG praised GW's tight budget management. SW commented on the debtors and was reassured that a view would be taken at year end with regard to any doubtful debt provision. It was noted that processes are in place to follow up in the event of non-payment and that several long overdue debts relate to boxing promoters.

7. Proposed Budget 2019/20

GW presented the proposed budget for the next financial year highlighting that it built on the paper presented to the Board at its December 2018 meeting. It was noted that

a Commercial Strategy will be tabled at a future Board meeting which will include detail of proposed income streams. The Board carefully considered the budget and agreed to follow the Audit and Risk Committee's recommendation and approved the budget as presented.

8. Consideration of Going Concern

PB outlined the background to this matter and after due consideration the Board concluded that UK Anti-Doping is a Going Concern.

9. Compliance with Corporate Governance Code

PB confirmed that the Corporate Governance Code had been revised and an assessment of UKAD practice had been made against the new Code. The Board considered the paper and acknowledged the proposed actions. Following the review, the Board concluded that UK Anti-Doping is compliant with the Corporate Governance Code.

10. Brexit Preparation Update

PB outlined a key concern arising in the event of a no-deal Brexit related to the transfer of data. Guidance has been sought from Crown Commercial Services and a response is pending. Given that UKAD makes use of servers located in Dublin and Amsterdam the issue pertains to adequacy arrangements between the EU27 and the UK at the point of exit. It was discussed that WADA, based in Canada, could act as a lawful conduit for the flow of athlete information in the event that the issue was not resolved satisfactorily in the short term. However, given the high volume of information managed by Microsoft Outlook for millions of UK organisations it is anticipated that the worst-case scenario is unlikely to arise. The Board supported the proposed approach. NG requested **PB to seek a final version of the legal advice, presented as 'draft' in the Board papers, by the end of February 2019.**

11. Open Board Meeting

The Board discussed the proposal for an open board meeting to be held in 2019. PB shared her prior experience with the NHS, where open meetings are common place, and Sport Wales. It was acknowledged that an open meeting provides the opportunity to improve transparency, be visibly held to account and engage with stakeholders whilst also affording the occasion to showcase the work of UKAD. Several concerns were also raised however, on balance, it was considered that these are outweighed by the benefits. **PB was tasked with firming up the options and providing a more detailed overview of how the meeting will run for discussion in early April 2019.**

12. Russia testing programme during its period of non-compliance

Hamish Coffey (HC), Deputy Director of Operations and Emma Price (EP), Head of testing joined the meeting.

The Board commended those responsible for the high quality debrief paper that was presented and expressed its thanks for the tireless work and high levels of commitment that ensured the project was a success. A frank discussion regarding the work involved and the roles of various stakeholders ensued. Navigating the programme and documenting UKAD's approach in delivering such a challenging piece of work has resulted in a valuable and unprecedented blueprint. The Board expressed its desire to showcase and promote this work whilst acknowledging the commercially sensitive nature of some of the content.

RK to develop a plan to appropriately place and promote the paper with Whitehall and relevant media outlets by end of March.

TP to write to David Kenworthy, UKAD Chair at the time of engaging with RUSADA, and former Board members to share details of the project outcome by end of February.

HC and EP left the meeting.

13. Performance Report

The Board noted the updated dashboard and content therein. It was confirmed that work was on-going to add the additional metric relating to Legal cases and **PB will ensure this would be in place for the next reporting cycle.**

The Board reviewed the strategic objectives and key deliverables. Of particular note were the continuing delays in consultation around the NADP, an issue previously highlighted during the December 2018 Board meeting. A number of discussions have taken place with key stakeholders, including the Minister and Legal, but UKAD is still awaiting the consultation timetable. **DS confirmed he would meet the Minister on 5 February 2019 and would provide an update as soon as practicably possible.**

It was reiterated that the strategic plan is a four-year programme and therefore some objectives are legitimately yet to start. It was agreed that an additional colour would be used to code such activities and a planned start date would be added for clarity.

14. Education Activity Update

Amanda Hudson (AH), Head of Education, joined the meeting and provided a high-level overview of recent activity, key priorities and the main challenges facing the Education team. It was agreed that the planned, more comprehensive update would be rolled forward to the May 2019 session. TP requested the future update to contain an analysis of how UKAD's education offering compares to those run in other countries.

AH left the meeting.

15. Annual State of Doping

NS outlined the background to the report and welcomed comments and feedback. Discussions included; possible engagement with researchers, such as those who attended the Clean Sport forum and academics running the Sports Ethics MA at Swansea university, to ensure content covers the latest research; the potential tie in to the UK Sport cultural health check; the need for a user friendly forward / executive summary to frame the document; the possibility to create a user friendly info-graphic for media purposes; the benefit of including real-life case studies.

Potential audiences were explored, and desire expressed to ensure broad circulation to organisations such as home nation National Governing Bodies (NGBs), other partners such as the Border Force and Medicines and Healthcare Products Regulatory Agency (MHRA), professional governing bodies and primary and secondary practitioners.

Board members are invited to share detailed feedback on existing document with RK by early March 2019.

RK to hone and develop the document and recirculate by end March 2019.

Date of Next Meeting

Tuesday 14 May 2019