

Minutes

Meeting Details

Meeting Name	UKAD Board Meeting 46
Date	10 November 2020
Time	10:00 – 13:30
Location	Via Zoom Conferencing
Attendees	
Trevor Pearce (Chair) (TP)	Nicole Sapstead (NS)
Frances Akor (FA)	Philip Bunt (PB)
Pippa Britton (PBr)	Matthew Johnson (MJ)
Nick Griffin (NG)	Pat Myhill (PM)
Dr Claire-Marie Roberts (CMR)	Emily Robinson (ER)
Sarah Winckless (SW)	Gareth Wellings (GW)
Anna Deignan (DCMS) – partial	Lindsay Miles (LM - minutes)
Saskia Mukerji (DCMS) - partial	Sam Pool (SP) – item 7

Welcome & Apologies

Presented by Trevor Pearce

1. Welcome

TP welcomed all attendees. It was noted that some participants would need to leave the session early to attend other meetings.

2. Declaration of Interests

There were no declarations of interest.

3. Approval of Minutes and Matters Arising

The minutes were accepted as a true record of the previous meeting save for a minor correction to the wording of item 13.

The review of the Code for Sports Governance was discussed (item 8 of the July 2020 meeting) and PBr outlined that she is part of the review group. It was agreed that UKAD would formally outline its views regarding the inclusion of anti-doping requirements into the code. **NS agreed to write to DCMS, UKSport and Sport England with copy to the Home Country Sports Councils.**

TP requested an update on the outstanding 2019/20 annual report. GW confirmed that the long-awaited assurance of UKAD's share of the assets held in the pension scheme had been received from Grant Thornton on 6 November. Final sign off from DCMS is being sought and it is anticipated that the report will be laid by the end of November.

Anna Deignan joined the meeting.

Regarding the National Anti-Doping Policy, NS confirmed that January 2021 remains the target launch date. However, the Board was made aware that following its review of the final draft, WADA had made a small number of significant observations which needed further consideration.

4. Chief Executive's Report – BP 37 2020

NS presented her quarterly report, the contents of which were discussed by the Board and included: an update on cases and legal matters; the delay in receiving some National Governing Bodies' anti-doping rules; Sport Integrity Forum; and Strategic Plan.

NS outlined that a very successful wellness week had recently taken place and that, despite the challenges presented by COVID-19, staff were coping well. It is recognised that a small number of employees are very keen to return to Fleetbank House for their own wellbeing and that arrangements will be put in place to facilitate this. The significant challenges faced by the testing programme were discussed and NS confirmed that UKAD is following the steer of the DCMS Return to Sport working group. AD clarified that the decision not to test athletes at home had not been formally mandated by the working group.

NS updated the Board on the continued work being done around diversity and reinforced her commitment to the issue. After an initial focus on race the working group is likely to be extended to cover other minority groups. PBr again pledged her willingness to be involved and highlighted the benefits of pro-active communication across social media platforms in addition to the wording changes already made to the recruitment section of the website. FA expressed her wish for the issue to become a seamless part of business as usual rather than an area of focus at certain times of the year.

6. Finance and Resources Report – BP 38 2020

The Board noted the report which had been scrutinised previously by the Audit and Risk Committee. GW outlined that since the previous report more visibility had been gained around the likely level of commercial income that could be expected. As such, the previous forecast had been adjusted to £1.6million for 2020/21. It was noted that the anticipated number of tests remains at 8k but the mix between contracted and

public interest had been altered. Capacity constraints on testing that have resulted from restrictions, in terms of the types of tests and where tests can be conducted, pose the risk of an underspend. GW highlighted that a request had been made to DCMS to switch a proportion of the contingency budget from 2020/21 to 2021/22 to reduce potential cost pressure in the next financial year. It was confirmed that request had also been made around a possible capital expenditure switch.

5. Outline Budget Scenarios 2021/22 – BP 39 2020 / BP 39a 2020

GW outlined that the budget scenarios had been prepared on the assumption that UKAD's Grant in Aid (GIA) funding would decrease by two percent although this has not been confirmed. Other key assumptions were highlighted, and GW concluded that budgeted expenditure needed to be reduced and a steer from the Board was sought. Two key areas of potential cost savings were discussed, and further analysis was requested to provide additional context. **GW to provide further financial modelling for discussion at the December development day.** The Board discussed the 8% increase to the UK's WADA contribution that was shown in the budget and challenged whether it was appropriate in the current climate and context of the global sporting landscape. ER confirmed that the issue had been discussed with European partners at the CAHAMA meeting. It was noted that UKAD pays the contribution on behalf of the UK Government and as such a position from DCMS would be sought. **NS to discuss the issue with AD.** The Board noted the work undertaken to date on the strategic plan and confirmed it was happy with the start that had been made. ER confirmed that work was underway to develop business cases for the new priorities required to support the proposed strategy. Recognising that further work is required, it was agreed that brief, targeted meetings would be scheduled to allow further input from Board members as required. **LM to schedule sessions as required.**

6. UKAD Board Risk Appetite – BP 40 2020

PBr explained the rationale for the changes and the intent that the revised headings should enable the Board appetite to be applied more easily in an operational context. Thanks were extended to PBr and the Head of Risk and Information for their work to evolve the risk appetite. The Board supported the Audit and Risk Committee's recommendation to approve the changes. **PB to feedback to JH.**

Sam Pool joined the meeting.

7. 2021 Code Implementation Update

SP provided an update on the approach to managing the 2021 Code implementation project and outlined the key changes and plans for their communication. An overview of the new responsibilities for National Anti-Doping Organisations was shared and the Board noted the obligation on all Board and committee members to be bound by the anti-doping rules. SP confirmed that in response to changes regarding whistle blower protection a new policy and process will be launched under the 'protect your sport

brand'. The consultation process with Sporting Chance to develop a treatment programme for athletes to support their rehabilitation and, in some cases, potentially reduce their sanction was welcomed. However, a concern was expressed regarding the potential for a two-tier system to emerge with some sports being reliant on NHS rehabilitation services rather than being able to fund private treatment programmes. It was also highlighted that the speed of access to such programmes would be crucial given the tight timing of the process set out by WADA. **TP agreed to discuss the matter with Public Health England.** TP expressed his thanks to SP for the quality of work undertaken and progress to date.

8. Powers Working Group Update – BP 41 2020

ER highlighted the key points contained in the report. The Board commented on the fact that current legal cases highlight the challenge of not being able to seize devices and secure necessary evidence. It was reiterated that the fundamental issue remains that despite introducing an investigatory function in 2015 the supporting powers have not been granted. ER outlined the plan to develop a year long campaign in the run up to the Birmingham Commonwealth Games designed, amongst other things, to garner political support. It was agreed that further discussions would be required with DCMS prior to making a joint approach to the Home Office to seek changes to the relevant statutory instrument.

Saskia Mukerji joined the meeting during item 8.

9. Notice of Charge Consultation Outcome – BP 42 2020

The Board noted the outcomes of the consultation and acknowledged the quality of the report. ER commented on the high level of engagement with the consultation and outlined the intent to make a public statement regarding the direction of travel prior to the end of 2020. The Board discussed the questions posed and responses given. It was acknowledged that the issue is complex and that Board members have varying, and in some cases strongly held, viewpoints. NS confirmed that the Directors Team would discuss the matter further and prepare an options paper to facilitate a decision to be made at the development day.

10. Approval of Interim Loughborough Space – BP 43 2020

The report was noted. PB confirmed that the lease for the interim space in the netball and badminton building had been prepared and was ready to be signed. The Board approved the signing of the lease and agreed to delegate authority to two Directors to execute the lease and provide the letter of commitment to Loughborough University.

11. Board Effectiveness Review – BP 44 2020

TP thanked participants for their input into the review process. It was agreed that the feedback would be reviewed in more detail at the development day to be held in December. **PBr agreed to prepare a draft action plan.** It was acknowledged that the process has historically been driven by the Chairman. To ensure some independence

from the Chairman, the Board agreed that responsibility for the board effectiveness review should be added to the Remuneration and Human Resources committee terms of reference and the appropriate approach discussed at the June meeting. **PB to ensure the terms of reference are amended for review at the February Remuneration and Human Resources Committee Meeting.**

NP left the meeting.

12. Performance Report – BP 45 2020

PB provided an overview of the performance report noting the revised number of activities deemed to be 'on track' compared to Q1. Although this had decreased PB reassured the Board that there was no cause for concern, rather the recently reported levels represent a more realistic assessment of progress. Although some headway against the Tailored Review recommendations continues to be made, PB confirmed that many areas of focus are related to matters over which UKAD does not have absolute control. TP outlined that performance management is an area of focus for the Board and as such it was agreed that each member would focus on one area of the organisation to understand performance measurement more thoroughly.

Board members / DT to meet in December 2020.

FA and SW left the meeting

13. Report from the Athlete Commission – BP 46 2020

The draft minutes from the October meeting were noted.

14. Report from the Innovation Commission – BP 47 2020

The agenda for the forthcoming meeting and draft strategy was noted.

15. Report from the Audit and Risk Committee – BP 48 2020

The draft minutes from the October meeting were noted.

16. Report from the Human Resources Committee – BP 49 2020

The draft minutes from the October meeting were noted.

17. A.O.B

There were no matters raised.

Date of Next Meeting

Board development day – Tuesday 1 December 2020

Board meeting – Tuesday 23 February 2021