

## Minutes of the Sport England Board meeting, 9 September 2020

The Board met remotely by videoconference.

**Members** Nick Bitel (Chair)  
Natalie Ceeney  
Azeem Akhtar  
Rashmi Becker  
Ian Cumming  
Chris Grant  
Sue James  
Andy Long  
David Mahoney  
Tove Okunniwa  
Karen Pickering

**Officers** Jess Bell, Administrator – Secretariat Team  
Mike Diaper ED – Children, Young People and Tackling Inactivity  
Ali Donnelly, ED – Digital Marketing and Communications  
Jon Fox, Strategic Lead – Investment design (items 8)  
Tim Hollingsworth, Chief Executive Officer  
Serena Jacobs, Director-Finance (items 6 and 7)  
Charles Johnston, ED – Property  
Richard Mabbitt, Board Secretary  
Lisa O’Keefe, ED – Insight  
Chris Perks, ED – Local Delivery  
Nick Pontefract, Chief Operating Officer  
Phil Smith, ED – Sport  
Naomi Shearon, Strategic Lead – Strategy (Item 8)

**Guests:** James Wurr, Head of Sports Participation – DCMS

### 1. Chair’s Welcome and introductory comments

1.1 Nick Bitel welcomed members and officers to the meeting, held remotely under ongoing COVID-19 social distancing measures.

### 2. Apologies for Absence

- 2.1 All Board members were present. Anna Deignan (Director of Sport DCMS) was unable to observe the meeting and James Wurr (Head of Sports Participation, DCMS) was attending on her behalf.

### **3. Declarations of Interests**

- 3.1 No declarations of interests were made by members additional to those already registered.

### **4. Minutes of the previous meeting**

- 4.1 The Board **AGREED** the minutes of the Board meeting of 16 June 2020 (paper MB20-48) and the proposed redactions to the discussion on the Strategy.

### **5. Matters arising**

- 5.1 The Board reviewed the log of decisions and actions (paper MB20-49). Board members were content that matters arising from previous meetings were either complete, satisfactorily in hand, or to be addressed under later agenda items.

### **6. CEO Report**

- 6.1 Tim Hollingsworth drew members' attention to paper MB20-50 and briefed Board members on other key issues and developments since their last meeting as follows.

#### **COVID-19 Responses**

- 6.2 The Board noted Sport England's continuing work to address the impacts of COVID19, in particular the sectoral support it was providing. This included: working with DCMS, MHCLG and HM Treasury to develop a package of support for leisure operators; continued support to partners through the Sector Renewal Fund; and extension to the end of the financial year of the flexibilities offered to organisations already in receipt of Sport England funding.
- 6.3 The Board noted the summary of the Community Emergency Fund (at Annex 1 of the paper), which had additionally been discussed in detail by the Investment Committee at its meeting of 3 September. The Board:

- a) noted that that Sport England's delivery of this fund under extraordinary circumstances had been highly effective, well received and of significant impact;
- b) welcomed Sport England's review of lessons learned in delivering this funding. Board members discussed the challenges around providing rapid, high quality feedback on unsuccessful applications. The Board felt that in the circumstances, officers had been justified in prioritising channelling funding to those in urgent need over supplying detailed feedback to all applicants. It noted that that detailed feedback and dialogue had been offered subsequently to unsuccessful applicants;
- c) felt that the fund had further highlighted geographical and socio-economic variations in applicant organisations' capability to access funding effectively. Those established organisations in less-deprived areas with greater knowledge, capacity and resources were more likely to apply and more strongly placed to benefit. Sport England had rightly targeted additional funding at areas of high deprivation where applicants were likely to face additional barriers. However, the Board felt it was still vital to synthesize learning from the Community Emergency Fund into future funding of this nature to ensure it was widely accessible.

6.4 The Board asked for members' feedback to be shared with officers. **Action: Phil Smith.**

### **2017–21 National Governing Bodies (NGBs) for sport portfolio review**

6.5 Phil Smith briefed the Board on annual progress and developments across Sport England's portfolio of NGBs (Annex 2 of the paper refers). A near-full year had been completed before the onset of the COVID-19 crisis and had duly been reported upon. In addition, the review process had analyzed the post-reporting period crisis situation and NGBs' longer term responses, with discussions also informing the continued development of Sport England's emerging strategy.

6.6 Board members noted:

- a) participation successes against 2020–21 quantitative targets, and both challenges and successes against talent development targets;
- b) cross cutting themes and challenges emerging from the review process (Digital; Inclusion; Return to play; Facilities; Clubs; Revenue streams; Professional workforce; Volunteer workforce; Partnership working; Measurement and evaluation; and Talent); and Sport England's and NGBs' collaboration in responding to these;

- c) that Sport England was monitoring closely the effects of COVID-19 on NGBs' capacity to generate income. Unfortunately, those bodies which had made most significant progress towards self-sustaining funding models been particularly badly affected by the COVID-19 containment measures. The Board noted ongoing liaison with UK Sport to ensure that financial assistance to NGBs from both organisations was co-ordinated and complementary;
- d) the need for strong and capable leadership and sound governance of NGBs to bring about greater inclusion and diversity (in terms of both NGB workforce and participation) in the sports they oversaw. The Board reiterated the importance of governance and leadership capability being factored into funding decisions. Given these new challenges, and ongoing work on the Governance Code, the Board felt it would be timely to have further discussion about criteria for NGB funding and asked that this to be marked forward for Investment Committee's consideration.
- e) The Board welcomed the widespread support from NGBs for Sport England's strategic direction of travel, and the sense of ownership and agency among NGBs that Sport England's collaborative approach had helped to generate.

6.7 The Board asked for its comments to be fed back to officers, and for investment Committee discussion to be arranged as at paragraph 6.5(d).  
**Action: Phil Smith/Hannah Kerly.**

### **British Gymnastics**

6.8 The Board had been kept informed about the announcement of Terms of Reference for the Whyte Review into allegations about mistreatment within the sport of gymnastics.

6.9 The Board asked for further updates as the situation clarified. **Action: Phil Smith.**

### **Comprehensive Spending review**

6.10 The Board noted the Comprehensive Spending Review headline submission to DCMS ([Annex 3](#)) which had been accompanied by detailed analyses and projections in line with HM Treasury's requirements. The Board endorsed the framing of the submission and felt it articulated effectively the way in which sport and physical activity was aligned to key Government priorities.

6.11 It was currently anticipated by DCMS that Sport England and other DCMS arm's length bodies' submissions would be considered by HM Treasury in October. The Board would be kept aware of developments through standing finance reports. The Board noted the support and collaboration shown by DCMS officials as the submission was being prepared, and thanked staff across Sport England for their hard work in formulating the submission to a very challenging timescale.

### **Legal Panel Framework**

6.12 Subject to the finalisation of due diligence checks the Board **APPROVED the award of a framework contract (reference SE 927)** for a new Legal Panel valued at up to £2,546,000 over a period of three years, with provision to extend for 1 year, as set out in section 5 of Paper MB20-50. It was noted that:

- a) this was a combined value with UK Sport and Arts Council England with whom Sport England was jointly procuring the Framework;
- b) the service covered by the Framework would be divided into three lots (general legal advice; administrative law and National Lottery specialism; and Sports law specialism);
- c) the Sport England share of £1.7m would be funded within the annually approved Legal budget.

### **Framework for Legal Services: NGBs**

6.13 The Board **AUTHORISED a 12-month Extension to contract SE 678** (a framework for legal services on behalf of NGBs as set out in section 6 of paper MB20-50.) The value of this extension to the contract was £750,000. It was noted that the original contract commenced on 5 September 2017 and would expire on 30 September 2020 and that no substantive changes were being proposed to the services currently offered under the contract.

### **Birmingham 2022 Commonwealth Games**

6.14. Charles Johnston reported constructive discussion with DCMS officials and Ministers on Sport England's contributions to the legacy of the 2022 Commonwealth Games in Birmingham. DCMS had welcomed Sport England's support for the Games particularly in the context of Covid-19 recovery and in supporting under-represented groups. The Board noted that Sport England had provided input to a bid co-ordinated by the Games Legacy director for a Youth offer. Sport England was also

providing advice to Transport for West Midlands in respect of Active Travel initiatives.

- 6.15 The Board welcome this collaborative approach, noting that engagement from Local Delivery Pilot partners in Birmingham was crucial for the long-term success of the legacy proposals. Board members noted the importance of linking Sport England's work to arts and culture initiatives around the Games. Learning experience from the Glasgow 2014 Commonwealth Games legacy; Ryder cup; and Youth Olympic Games was cited.
- 6.16 The Board noted that that a substantive paper on the high-level legacy plan was scheduled for consideration by the Investment Committee at its meeting of 25 November. **Action: Charles Johnston.**

### **Active through Football**

- 6.17 Prior to the meeting, the Board had agreed by correspondence proposals set out in paper [MB20-47](#) relating to funding for Active through Football. Officers were now progressing this initiative, and liaising with those Board members who had provided supplementary comments.

## **7. Finance report**

- 7.1 Serena Jacobs introduced the Finance report (paper [MB20-51](#)). Board members noted:
- a) overview presentations of budget versus forecast; Exchequer outturn budget versus forecast; consolidated income and expenditure; and progress to budget. The Board noted that exchequer underspend (budgeted at £405k) had reduced to a forecast of £292k.
  - b) the consolidated summary of year to date Awards expenditure, and commentary; and a summary of the year to date with regard to COVID-19 programmes.
  - c) presentations of cash impacts (Exchequer cashflow on 2020-21 commitments; Exchequer cashflow on prior year commitments; weekly lottery income; and Lottery cash flow.)
- 7.2 The Board was encouraged that lottery income appeared to have remained relatively stable despite the impacts of COVID-19 and lockdown measures.

7.3 Subject to further scrutiny at the next meeting of the Audit Risk and Governance Committee on 6 October, the Board was content with progress as reported. Board members felt that the new report format presented key management information clearly and appropriately.

## **8. Tackling racism and racial inequality in sport and physical activity**

8.1 Tim Hollingsworth introduced paper MB20-52 which summarised the four strands of work (Internal actions; the Governance Code; Race in Sport Review; and Strategic Development) that Sport England was undertaking here.

### **Internal actions**

8.2 Board members discussed internal actions under way to ensure that staffing, policies, procedures, the way in which Sport England worked and its culture and values had equality, diversity and inclusion at their heart. The Board was pleased with progress overall and:

- a) reiterated the view that demonstrating a clear commitment to inclusion and diversity internally was critical to Sport England's credibility in seeking to catalyse change in other organisations and structures;
- b) welcomed the ongoing engagement of Sport England's BAME employee network ("Culture Crew"), and were keen that this engagement was increasingly formative;
- c) supported the Executive Team's decision to recruit to a new Director-level ("level 3+") post focused on diversity and inclusion in Sport. Board members underlined that this role should involve very close engagement with the Executive Team and be cross-cutting in nature;
- d) highlighted the need for 'safe spaces' such that those with concerns related to racism or inequality could raise them constructively with no fear of victimisation;
- e) asked for further consideration of the role of a Board Champion for diversity and inclusion;
- f) suggested that, as well as in investment decisions, diversity and inclusion aspects in procurement and supply chain decision-making could also usefully be reviewed;
- g) given the breadth of potential internal actions, highlighted the importance of maintaining momentum through identifying quick wins, or priority initiatives. In this respect, and in the context of continuing low levels of staff turnover, Board members noted Sport England's immediate

focus: on enhancing the role of apprenticeships and internships; increasing the number of Level 6 roles to provide an intermediate career step for those seeking to progress from administrative roles; and removing the internal applicants only stage of recruitment for higher level posts (level 5 and upward).

- 8.3 Board members further advised that while the actions set out in the paper were sensible and positive, it was important the Sport England did not see their fulfilment as an end point. Rather it should 'stay in the problem' and develop a deeper corporate empathy toward the issues and actions needed to take Sport England towards a place of thought leadership and exemplification on diversity and inclusion in sport and physical activity. Defining the nature of the problem and remedies needed collaboration within the organisation and with other bodies. Consideration of an external inclusivity audit was suggested.
- 8.5 The Chair asked officers to take the Board's comments into account in progressing work in this important area. **Action: Nick Pontefract.**

### **Governance Code**

- 8.6 Board members discussed The Code for Sports Governance and the potential for a revised version to drive further changes to how the sector approached equality, diversity and inclusion.
- 8.7 Board members reflected on the phasing of the review. It noted the importance of a revised code being in place when major funding decisions were made in April 2021 such that awards were conditional upon commitment and ongoing adherence to the requirement it set out. The Board acknowledged the need for a robust and collaborative approach, with partners and with UK Sport as the Code's co-sponsor, and that accelerating the already challenging review timetable would be difficult. However, the Board was anxious to capitalise on what felt a propitious environment for promoting the role of governance in driving up standards and extending best practice and felt that some form of intermediate pre-launch external engagement would help to maintain momentum. Board members were also themselves keen to input to the discussion around the development of the code.
- 8.9 The Chair asked for the Board's suggestions to be factored into project planning for the review, and that Board members were given further

opportunity to provide input at or outside Board meetings. **Action Nick Pontefract.**

### **Race in Sport Review**

- 8.10 The Board noted the ongoing and active engagement at the highest level between the Home Country Sports to shape a collective response. Tim Hollingsworth thanked Chris Grant for his continued and constructive collaboration in this work. Board members noted the joint commissioning of:
- a) an independent report to explore the current situation, and serve as a ‘gap analysis’, to give a more in-depth picture of BAME inclusion across the sector. The Board was keen that this work elucidated behavioural and perceptual elements of individuals’ experiences of barriers to inclusion and how they were overcome. It felt that Sport England’s insight work played well into this;
  - b) further work to share lived experiences and shape policy development through a forum for voices from across the wider BAME community to be heard, with the lessons learned and the overall themes emerging from those experiences collated and acted upon.
- 8.11 The Board noted that throughout, this work across the five Sports Councils would be focussed on two specific outcomes: to help build a sporting system that is properly reflective of the societies they represent and to stamp out racism and racial inequality in sport. Board members:
- a) reiterated the importance of a cross-Council approach and were content with progress overall;
  - b) Supported the emphasis on sensitivity; sense making and constructiveness, rather than focussing on accusation or blame (characterised as “telling stories not telling tales”);
  - c) Suggested that any expert advice (legal, academic; technical, mentoring etc.) on this work supplementary to the academic oversight of the review was commissioned through a framework arrangement, which might also support other organisations working in similar areas. Board noted the successful support that had earlier been commissioned from Perret Laver to support recruitment by NGBs.
- 8.12 The Chair thanked discussants and those Board members who had contributed to prior discussion outside the meeting, and asked officers to take on into account the Board’s feedback.

## Strategic Development

8.13 The Board was content to discuss this element under the next agenda item.

## 9. Strategy

9.1 Naomi Shearon briefed the Board on progress on the Sport England Strategy. Paper [MB20-53](#) refers.

- a) Officers' current emphasis was on effectively positioning the strategy to respond effectively to Government and partners' priorities and expectations in the context of the effects of COVID -19 on individual and communities' behaviours in respect of sport and physical activity, and on the network of assets that enabled and supported such behaviours. This positioning needed also to acknowledge past achievements by Sport England and others: the foundations on which the strategy would build.
- b) Focal points were coalescing around themes of: making the case for sport and physical activity; "Building Back Better"; children and families as the foundation units for engagement in activity; active environments; scaling up work on health agendas; and enabling (governance, insight, digital and workforce).
- c) The "How" of being more systemic and joined up, and providing support to those needing it most, was also crystallising around place-based and national themes of: reputation and influence; insight and evidence; relationship management; people skills and experience; financial support; and campaigns.
- d) Sport England remained on track to deliver a strategy for sign off in December 2020, with an additional Board meeting on 2 November focussed on the strategy.

9.2 Officers facilitated an open discussion to explore Board members' views on where Sport England could maximise (i.e. where it needed to expand and manage existing relationships); where it could expand (i.e. repositioning into new spaces or further into areas tested in *Towards an Active Nation*); and where it needed to anticipate (i.e. preparing for upcoming issues likely to impact on Sport England and its purpose.) Detailed feedback was recorded by officers.

9.3 Board members also reflected on:

- a) the role of the talent system, particularly its inter-relationship with cultural and behavioural aspects of children and young people's participation in sport and physical activity, and with workforce skills;
- b) Sport England's role as a thought leader in innovation across the piece, and the challenges of forecasting how future digital applications would mediate the consumption of sport and physical activity;
- c) empowering local decision making (e.g. investing in local leadership as evidenced through the LDPs);
- d) the importance of being able to identify behavioural trends, and – where these were positive – to accelerate and maximise their impact;
- e) the need for Sport England to be smart and nimble in how it opted to apply the different policy tools and levers available to it;
- f) the value of a “supply and demand” lens (for example in social prescribing for healthcare), and the scope for Sport England to support better market conditions and help add value to providers' offers (e.g. by clarifying consumer needs);
- g) the need, in “building back better” to manage relationships on the basis of insight about partners' ability to impact;
- h) the importance of working with DCMS to unlock engagement from other government departments, and identifying and pursuing synergies with their agendas, particularly under a levelling up priority;
- i) the paradigm-shifting nature of the strategy, and the potential for an innovative launch event to connect effectively with end users and new stakeholders as well as with established partners.

9.4 The Board felt the strategic approach under discussion demonstrated clearly a shift from a model of funding delivery relationships to a model of releasing potential, adding value and multiplying impacts. The Board noted that while Sport England now saw equality as a fundamental principle and had therefore not conceptualised it in this discussion as a separate theme, in the published strategy it was most important that thinking here was clearly and explicitly articulated.

9.5 The Chair thanked discussants. The Board confirmed its support for the approach being developed and looked forward to contributing further in the refinement of the focus areas that were now beginning to take shape. Officers would work to facilitate this at the meetings of 3 November and 8 December **Action: Naomi Shearon.**

## 10. Investment Committee report and updates to terms of reference.

10.1 Committee Chair Natalie Ceeney introduced paper MB 20-54 which set out proposed new term of reference, as discussed and agreed by the Committee at its meeting of 3 September. Board members noted that the amendments:

- a) better reflected and guided the current balance and orientation of the Committee workload, reflecting its focus on investment strategy as well as investment decisions;
- b) including provisions for prior review by the Committee of funding decisions coming to the Board for decision.

10.2 The Board **AGREED** the Terms of Reference presented in paper MB20-54 and asked that they be adopted: **Action Hannah Kerly.**

## 11. Any other business

11.1 Tim Hollingsworth reported that the Football Foundation Board was in the process of developing the Foundation's strategy. He would provide a report on potential implications for Sport England at a future Board meeting:

**Action: Tim Hollingsworth.**

11.2 The Board was pleased that Sport England continued to provide advice to Government on "return to play" arrangements including in the context of any potential regression of the relaxing of COVID-19 containment measures.

11.3 Board members noted that Sport England's offices had now re-opened on a very limited and controlled basis. An update to the Board would be provided in due course.

11.4 The next meeting of the Board would take place on 3 November 2020. This was a meeting additional to those initially scheduled and would focus on the Strategy.

11.5 With no further substantive items of business being raised, Nick Bitel closed the formal meeting. Board members would meet privately for a short debrief, with a meeting of the Chairs' and Remuneration Committee following afterwards.

