

Minutes of the Sport England Board meeting of 28 March 2022

Sport England Offices, 21 Bloomsbury Street, London and by video conference

- Members** Chris Boardman (Chair) [items 1-13]
 Azeem Akhtar [Items 1-17, absent for part of item 11] *video conference*
 Rashmi Becker
 Ian Cumming *video conference*
 Chris Grant [Items 1-17] *video conference*
 Andy Long
 David Mahoney [items 1-17, absent part of items 11 & 12.] *video conference*
 Tove Okunniwa
 Karen Pickering *video conference*
- Officers** Stuart Armstrong – Strategic Lead, Workforce Transformation [items 14-17]
 Sarah Forster – Strategic Lead, Finance [items 10 and 11]
 Jon Fox – Strategic Lead, Investment Design [items 1-12]
 Tim Hollingsworth – Chief Executive Officer
 Dan Johnson – Interim ED, Digital, Marketing and Communications
 Emma Lamb – Strategic Lead, Finance [items 10 and 11]
 Richard Mabbitt – Board Secretary
 Simon Macqueen – Director, Strategy *video conference*
 James Morris – Principal Planning Manager (football) [item 13]
 Rachel Musson – Interim Chief Financial Officer
 Nick Pontefract – Chief Operating Officer
 Naomi Shearon – Strategic lead Strategy
 Phil Smith – ED, Sport
 Viveen Taylor – Director, Equality, Diversity and Inclusion
 Brian Whaley – Strategic Lead, Planning & Programmes [items 14-15]
- Guests** Katherine Grainger – UK Sport Chair
 James Wurr – Head of Sport Participation, DCMS
- Apologies** Natalie Ceeney (Vice Chair)

1. Welcome

- 1.1 Chris Boardman welcomed members, officers and guests, and thanked them for their flexibility in accommodating hybrid meeting arrangements. Katherine Grainger, UK Sport Chair was observing the meeting. James Wurr was attending on behalf of DCMS.

2. Apologies for absence

- 2.1 Vice Chair Natalie Ceeney had sent her apologies for absence. Chris

Boardman would hand over chairing for items 14-17 to Andy Long, due to an urgent meeting with the Secretary of State. Azeem Akhtar and David Mahoney would also need to drop out of the meeting for short periods.

3. Declarations of Interest

3.1 Members had reviewed and updated the register of members' interests as circulated before the meeting by the secretariat. A new interest had been declared by Natalie Ceeney (Board member of Liverpool Victoria) and Chris Boardman's role as Interim Active Transport Commissioner for England had now been logged. Other changes made had been in the way of minor amendments and updates.

3.2 Members declared no further interests to those already registered. David Mahoney's role with the England and Wales Cricket Board (ECB) meant that he would recuse for the part of item 12 dealing with system partner funding for the ECB and had received a redacted paper MB22-21 for that item. Board members also noted Tim Hollingsworth's membership of the Board of the Football Foundation in respect of item 13.

4. Minutes of previous meetings

4.1 The Board agreed the minutes of meetings of 14 December 2021, (MB22-11); 2 February 2022 (MB22-12); and 17 March 2022 (MB22-13) with no amendments.

5. Actions arising

5.1 The Board was content with progress against action points logged at paper MB22-15.

6. Member and senior officer appointment updates

6.1 Chris Boardman reported that Government advertisements and role specifications for four upcoming Board vacancies were now live. Members and staff were encouraged to disseminate these opportunities among their networks, and alert DCMS (via Nick Pontefract) of strong candidates who might be encouraged to apply. Sport England awaited a ministerial decision on the reappointment or otherwise of Azeem Akhtar, David Mahoney and Tove Okunniwa. Tove Okunniwa had agreed to take on the role of Investment Committee Chair after Natalie Ceeney's departure, with David Mahoney taking over as Chair of the English Sports Development Trust Ltd.

- 6.2 Tim Hollingsworth reported that Sport England's advisers, Perret Laver, continued to support the recruitment of two new executive directors, including identifying new talent pools from place-based communities of interest. Internal interest had also been expressed. In the meantime, to ensure continuity of operations, decision-making and accountability, Kevin Mills and Justine Blomeley were jointly holding the role of Interim Director (Place), and Sarah Ruane and Viveen Taylor were jointly holding the role of Interim Director (Policy and Integrity). Sport England's ELT and Human Resources Teams were working with Positive Dynamics (who had worked with Sport England in the past on the Sport England Values) to refine the leadership behaviours and attributes required by the future Executive Leadership team and all organisational leaders.

7. UK Sport Chair's address

- 7.1 Katherine Grainger welcomed the opportunity to meet Sport England Board members and staff and to observe the Board's discussions. She gave a brief overview of UK Sport priorities and their relationship with Sport England work. Board members noted the following:
- a) A broadly successful Beijing 2022 Winter Olympics and Paralympics for Team GB and ParalympicsGB, under the ongoing difficulties presented by COVID-19, and the challenges of the rapidly-escalating conflict in Ukraine. Athlete safety, health and protection had been the priority, and every athlete who had travelled had been able to compete.
 - b) UK Sport's progression of an Independent Disclosure and Complaints Service for athletes, with a view to pilot launch in April 2022.
 - c) Upcoming changes to UK Sport Board membership with recruitment of two new members under way, and the appointment of Tanni Grey Thompson as Chair of Sport Wales.
 - d) UK Sport continued to operate effectively in hybrid mode, with office-based working where there was a clear benefit to in-person engagement. This included team-building activity, which was important given the number of new staff who had joined UK Sport since March 2020 and the need to bed in UK Sport's organisational changes.
- 7.2 Attendees reflected on the challenges around building consensus and a more holistic narrative about the meaning of success in elite-level sport. "Success" included a team that better represented, engaged with, and activated the nation. Absolute sporting success in terms of medal count was clearly a key part of this but would not of itself generate further sporting achievement or positive impacts on society generally. Board

members welcomed UK Sport's evolving approach here and noted the organisational changes that reflected this. Wider accessibility, engagement and participation, and athletes' long-term wellbeing, all meshed well with *Uniting the Movement* principles, and would support sustained elite sporting success. This broader definition of success did not imply a lowering of sporting aspirations. Support for newer and emerging sports was an important part of this approach and Board members noted Sport England's recent investment in winter sports in this respect, as well as summer sports like Skateboarding.

- 7.3 Chris Boardman thanked Katherine Grainger for her contribution and looked forward to further UK Sport and Sport England collaboration on shared agendas.

8. CEO's update

- 8.1 Tim Hollingsworth spoke to paper MB22-15. Board members noted the following.
- a) The update on sports regulation, dispute investigation/resolution and safeguarding. Discussions continued with Ann Whyte QC about the publication of her Review into British Gymnastics, around due process and protection for those who had contributed to this substantial piece of work, and the risk that a delayed publication could inhibit actions arising being progressed or be seen as a lack of commitment to urgent change. Board members also noted heightened political interest around football regulation.
 - b) The update on the National Audit Office value for money review into grassroots sport. Simon Macqueen would recirculate the review scope for information (**Action: Simon Macqueen**).
 - c) The final meeting of the Sports Survival Package (SSP) Independent Board had taken place the previous week, covering the final SSP investments into various sports and leagues (including specific targeted investment into governance and business transformation) and related governance matters. The Board was pleased that arrangements for the ongoing management of the SSP loan book by Government were progressing, but given the complexity and magnitude of risk here, asked to be kept aware of developments (**Action: Lizzie Hughes**).
 - d) Ongoing discussions with the British Council, Government Property Agency and DCMS on the London office move.
 - e) Alongside senior level recruitment and related activity reported at item 6, a 'settling in' period for the new teams – with the current Executive

Leadership Team seeking to model new ways of working and behaviours and inclusive decision-making. Board members felt it would be timely to review staff survey feedback at its next meeting. **Action: Nick Pontefract**

- f) Progress on the Government Sports Strategy. James Wurr thanked Sport England officers for their contributions. Board members emphasised the critical role of the strategy in joining up potentially disparate social, health, transport and other agendas, with tackling inactivity a cross-cutting theme.
- g) Updates on risk management, and on the roll out of Sport England's new Investment Management System.

8.2 The Board shared officers' and DCMS officials' concerns at the delay in confirmation of the DHSC component of exchequer funding for School Games Organisers. With an 8 April cut-off point at which schools would be legally obliged to issue redundancy notices for around 450 organisers, officers and officials were necessarily seeking urgent escalation.

8.3 The Board was content that a pragmatic and appropriate response to the conflict in Ukraine had been taken in line with Government advice. The Board was pleased that Sport England was part of the collective national and international response to the Russian invasion of Ukraine, and its impacts, economic and demographic. The Board felt that a more formal organisational policy on addressing the impacts of international conflict would be helpful. **Action: Tim Hollingsworth** to explore with Policy and Integrity leads.

9. Equality, Diversity and Inclusion (EDI) report

9.1 Rashmi Becker and Viveen Taylor spoke to the report at paper MB22-16. The Board felt that further and more detailed EDI data would be informative, both in relation to the sector (sectoral leadership, and participation, including representation on Team GB and ParalympicsGB and in other elite sports) and for Sport England itself. The Board was keen to see information as it became available as well as formally reviewing progress against Sport England's diversity and Inclusion action Plan in June. **Action Nick Pontefract.**

9.2 The Board looked forward to further feedback from the Stonewall Workplace equality index survey. It noted the strong support from the staff LGBT+ network group for engagement in this programme, and this as well as feedback from other staff diversity groups needed to be taken into account as Sport England's membership of benchmarking and accreditation schemes was reviewed. **Action Nick Pontefract.**

- 9.3 The Board noted that a *Uniting the Movement and Closing the Gap on Inequalities* (working title) conference had been scheduled for 9 June 2022. Hold-the-date invitations had been issued to Board members.

10. Finance Update

- 10.1 Rachel Musson introduced the Finance Report (MB22-17). Members noted that:
- a) Exchequer Capital awards had a forecast remaining of £3.4m, including £1m of decommitments from ongoing Legacy wind-down work. The Forecast was expected to be fully awarded by 31 March, with commitments monitored weekly and the remaining forecast having reduced by £4.0m during February;
 - b) £4.45m of Programme allocation had been bought forward to 2021-22, and the associated 2022-23 allocation had been reduced accordingly in response to DCMS requests for help to manage its overall 2022-23 allocations. The majority of this would be awarded to School Games Organisers, alongside 2 smaller awards;
 - c) the potential future impacts of rapidly rising inflation for Sport England and its partners were being duly factored into ongoing financial management and planning.

The Board was content overall with progress as reported.

- 10.2 Rachel Musson introduced the Annual Report and Accounts (ARA) update (MB22-18). Board members noted the changes reported around NAO staffing and the inclusion of additional sustainability reporting measures. The Board was content with the arrangements proposed for preparing and producing the ARA and the outline plan. Board would review the final ARA and supporting documents at its meeting of 20 June 2022, following scrutiny by Audit Risk and Governance Committee.

11. Business plan and Budget

Business planning overview

- 11.1 Simon Macqueen and Nick Pontefract introduced paper MB21-19 and briefed the Board on progress in developing Sport England's 2022-23 work programme and associated budget considerations. The 2022/23 business plan was based around the 'now' commitments agreed in the *Uniting the Movement 2022-25 Implementation Plan*, and further developed

collaboratively across the organisation and with partners into detailed scoping documents for the work required in 2022-23.

- 11.2 The Board noted deliverability and budgetary considerations detailed in the paper and annexes, Board members were pleased to note that budget and business planning had been closely integrated, with the budget having been developed alongside the scoping and business planning work, rather than from individual team bids as had happened in the past. They agreed that this would enable a better sense of overall affordability, and a consistent and informed view of the strategic fit of every budget item.
- 11.4 The Board noted and was content with the broad delivery approach set out in the paper and actions proposed to mitigate the deliverability and budgetary risks identified. These included detailed planning work with colleagues on the phasing and resource demands of each programme, to better understand overall deliverability, and a 'raising of the bar' for new work to ensure strong alignment to the *Uniting the Movement 2022-25* Implementation Plan. It also meant a conscious decision to dial down and mainstream much COVID-19 recovery and reinvention work, and not launching any new funds in 2022/23. Alongside this, Sport England would explore alternative delivery models to increase capacity (e.g. subsidiaries and working through partnerships). Across the piece, Sport England would develop a stronger internal programme management function and improve workforce planning.

2022-23 Budget and Lottery Cash flow

- 11.5 Rachel Musson introduced paper MB22-20, which presented the 2022-23 budget and financial projections for Sport England's Lottery income and cash flow forecasts. The Board noted the robust budget-setting principles guiding the process. It was content with the proposal that a detailed award budget and medium-term plan aligned to the Implementation Plan be presented at the Board's meeting of 20 June 2022.
- 11.6 The Board reviewed the consolidated statement of income and expenditure; the discussion of flexibility targets and constraints; commentary on exchequer grant in aid and lottery income; award commitments and operational budgets with no further questions or concerns being raised. The Board therefore **APPROVED** the 2022-23 Budget as set out at section 4 of the paper.
- 11.7 The Board noted and was content with the expected Lottery cash outturn

for the current financial year set out at section 5 and the Lottery cash projections for *Uniting the Movement* set out at section 6 of the paper.

- 11.8 **Action: Rachel Musson** to progress the budget to adoption accordingly

12. System Partners

- 12.1 Jon Fox introduced paper MB22-21 which presented recommendations regarding ECB and Swim England, consideration of which had been extended by agreement with the Board. It also provided a broader update on system partner portfolio development and specific recommendations for a 'Track 4' ahead of broader considerations on investment in new and other partners.

England and Wales Cricket Board (ECB)

- 12.2 Further to the prior Board discussion of the position of the ECB in the system partners process (papers MB21-97 and MB22-04b) there had been extensive liaison with the ECB which officers felt gave further assurance and confidence in now bringing forward a recommendation to solicit an application for investment. The Board noted the robustness of the process and depth of discussion with the ECB and the additional challenge and scrutiny offered, including critical review by a senior internal panel ahead of Board recommendation.
- 12.4 The Board remained extremely concerned by the ongoing serious issues around racism in cricket. Board members considered that the profile and potential for participation in cricket meant that the success or failure of the sport as a whole in addressing these problems would be totemic. Board members recognised that the ECB was working to address these concerns, particularly since the catalytic testimony of Azeem Rafiq, but there was evidence of persistent resistance to constructive change in some parts of the game. The Board therefore felt that while ECB should be supported to deliver progress on this agenda, its success in changing the game and working to tackle racism and racial inequality in and around the sport was a critical factor in securing continuing financial support from Sport England, and the reputational benefits that went with it. The additional solicitation criteria related to county cricket governance arrangements and practice and to senior leadership at ECB were of prime importance here.
- 12.3 After a full discussion, the Board **APPROVED** the solicitation of an application of up to £11,617,500 from the ECB. The Board supported the criteria

recommended in relation to areas of continued dialogue and challenge (particularly County Cricket governance and senior ECB engagement) and agreed that these should inform special conditions of grant if and when an award was made.

- 12.5 Given these reservations, the Board was keen that the activities of the ECB as a system partner, and the context in which it operated were closely monitored and reported back to the Board until such time as a clear direction of positive travel on tackling racism in the game could be demonstrated.

- 12.6 **Action: Jon Fox and Phil Smith** to progress with officer leads.

Swim England:

- 12.7 Board members noted that consideration of Swim England as a system partner had been deferred from Track 2 pending an auditors' report on a potential breach of furlough rules. Swim England had now completed the actions recommended in that report, and was taking appropriate action. However, this delay, concerns about how well Swim England would be able to fulfil the broader role of a system partner, and the emergence of a number of complaints about Swim England as a National Governing Body, meant that a one-year extension only to its 2020-21 level of funding was recommended to allow time for the completion of the full system partner process as part of Track 4.
- 12.8 Board members agreed that at present there were limited realistic alternatives to the National Governing Body role played by Swim England. However, they remained unconvinced that Swim England was well positioned to be an effective system partner beyond a narrow focus on the governing role at this stage. They noted in particular that little progress had been made in encouraging more diverse participation in swimming, recreational and competitive, and where advances had been made this had been led by other more community-focussed organisations, and the considerable potential for a strong system partner to build on this had not yet been taken up.
- 12.9 On balance, the Board **APPROVED** a bridging award to Swim England in the form of an extension of the current award for 12 months at the flat line level of £3,099,500, with relevant conditions as set out in the paper to be included in this award. It agreed that this be accompanied by work with Swim England with a view to complete the full system partner process under the

proposed Track 4. It asked that further work with Swim England on the current issues and challenges (including relevant audits and enquiries) be undertaken with Sport England alongside the system partner process, and for contingency planning should a system partner relationship with Swim England not be progressed. **Action: Jon Fox** to take forward

- 12.10 The Board reiterated that neither NGB status, nor a track record of having received Sport England funding were of themselves sufficient to justify System partner funding. Roles and outcomes were key, as was a genuinely collaborative approach with Sport England and with other partners. Board asked to be kept aware of developments with ECB and Swim England as they arose Action: Phil Smith

13. Football Foundation Exchequer Award 2022-25

- 13.1 Further to briefing provided at the Board meeting of 2 February 2022 (paper MB22-06 refers), James Morris spoke to paper MB22-23, which set out the proposed Sport England channelling of Government's 2022-23 investment into community football facilities towards delivery of the National Football Facilities Strategy (NFFS). The award was comprised of a one-year extension to the Government's 2021-22 investment into the Foundation for NFFS delivery, plus additional capital investment to accelerate delivery of the NFFS announced in the recent Comprehensive Spending Review (but subject to final Government approval).

- 13.2 Board members:

- a) warmly welcomed Government investment here and the opportunity (particularly in new-build facilities) for genuine multisport usage, with the active involvements of technical expertise from sports other than football to support this;
- b) asked that further consideration was given to the interpretation of metrics around 'adding value' and how these could be quantified in terms of outcomes as well as actions
- c) were pleased at the engagement of Active Partnerships and other place-based groups from the initial application phase through to end use. They flagged the important role of local community groups in fully activating multi-sport spaces and encouraging local participation, and asked for this to be considered in onward place-based working.
- d) noted the potential impacts on the project of construction costs, (particularly, since the conflict in Ukraine, rising steel costs) but were content that these could be factored in appropriately to ongoing

programme management.

- 13.3 The Board therefore **APPROVED** the Exchequer award of up to £66,000,000 to The Football Foundation for delivery of community football facilities in 2022-23 comprised of: (a) £18m towards delivery of the National Football Facilities Strategy; and (b) up to £48m to accelerate delivery of the National Football Facilities Strategy, subject to final Government approval (final amounts awarded will be equal to the amount approved by and received from DCMS) as set out in the paper. **Action: James Morris** to take forward.

14. Places & Spaces: United by Birmingham 2022: National Legacy Proposition

- 14.2 Brian Whaley introduced paper MB22-24. Under umbrella national and regional legacy ambitions for the Birmingham 2022 Commonwealth Games set out in paper MB21-49 (Board meeting of 15 June 2021), a grass-roots community and voluntary capital infrastructure offer had been developed in 2021-22 through re-purposing existing Community Assets budget. Additional budget was now sought to provide a national offer.
- 14.3 Board members noted and were content with the case set out in the paper for expanding Places and Spaces into a national offer, including its alignment with the Birmingham and Solihull Local Delivery Pilot, and Sport Birmingham. They supported the matched crowdfunding approach proposed, noting provision could be made through exchequer funding to meet the investment needs of partners who are not able to access lottery investments based on religious or faith grounds. Board members agreed that - when managed well - crowd funding could be a rallying point for communities and builds a greater sense of local ownership and pride.
- 14.4 As a general observation, the Board asked officers to ensure that the EDI assessments in investment decision papers were specific and tailored to specific contexts in order to facilitate discussion.
- 14.5 The Board therefore **APPROVED** a financial envelope of £7.1m to create a national facility legacy under 'Places and Spaces - United by Birmingham 2022' as set out in the paper. **Action: Brian Whaley** to take forward.

15. Community Asset Fund (CAF) – increase in award budget

- 15.1 Brian Whaley introduced paper MB22-25 which proposed an increase to the Community Asset Fund award budget to provide for review and resolution

of outstanding issues to enable the programme to be closed in an orderly fashion, with exchequer decommitments re-cycled back into the programme.

- 15.2 The Board recognised the challenges faced by groups seeking to progress capital projects, which had been exacerbated by the effects of COVID-19, supply and labour shortages, cost increases, and contractor failure and the additional Sport England support and investment required to see projects through. The Board also recognised the learning gained from the programme and the benefits of a managed transition to new arrangements more in line with *Uniting the Movement principles* and implementation plans.
- 15.3 The Board therefore **APPROVED** an additional £4m (£2m lottery and £2m exchequer) for the Community Asset Fund in order to be able to support projects to deliver their capital build in 2022-23, as set out in the paper. **Action: Brian Whaley** to take forward.

16 UnLtd: The Foundation for Social Entrepreneurs

- 16.1 Stuart Armstrong introduced paper MB21-26 which set out proposals for stimulating and supporting social entrepreneurship, via a partnership with the Foundation for Social Entrepreneurs (“UnLtd”).
- 16.2 The Board discussed the proposals and
- a) welcomed the innovative aspects of this project: its focus on a diverse range of freelancers and social entrepreneurs would complement the more traditional funding routes and recipients of Sport England support;
 - b) Noted the track record of UnLtd in reaching social entrepreneurs in areas and activities that were at risk of being overlooked by others. They felt this partnership was a sensible and promising test case for this approach and for potential further partnerships.
 - c) Asked for supplementary information about the anti-fraud approach taken by UnLtd. and (given the innovative nature of the approach) the investment safeguards built into the partnership agreement that could be activated in the event that the project failed to deliver as anticipated.
 - d) Emphasised the importance of monitoring, evaluation and learning, because of the risks and opportunities of innovation. A Report back to the Board in due course would be informative.
- 16.3 The Board therefore **APPROVED** an award increase of £3,524,786 lottery

funding to The Foundation for Social Entrepreneurs (UnLtd) to support costs associated with the 'Rebuilding our Workforce' programme, a part of Sport England's Covid-19 recovery work, as set out in the paper. **Action Stuart Armstrong** to take forward, including providing further briefing to Board on anti-fraud measures and investment safeguards, and bringing a progress report back to the board once the project was fully under way.

17. Any Other Business

- 17.1 The Board discussed further the System Partners Measurement, Evaluation and Learning Framework annexed to MB21-22. The approach set out was broadly welcomed, and the Board was supportive in principle of additional resources being directed to investment in insight tools or partners. The Board asked for further information on the likely levels of resource available here, and on Sport England's thinking on the balance between the acquisition of data, the learning from it, and the embedding of that learning. **Action: Nick Pontefract**
- 17.2 Board members reflected on recent high-profile discussion of Transgender competitors in elite women's swimming and cycling competition, and the polarisation of debate about Trans participation generally in elite sport. Board members were concerned by the hostility sometimes faced by those trying to work through the complexities and practical implications here in a nuanced and sensitive way. They remained optimistic that the Sports Councils Equality Group guidance on Trans participation in sport offered a sound framework for a more positive and inclusive debate.
- 17.3 With the Chair and Vice-chair absent for the usual post-meeting wash-up session, the Board decided to defer the scheduled private discussion of the Board effectiveness review papers (MB22-27 and MB22-28) until the next meeting.
- 17.4 The Board noted papers circulated for information only (MB22-29 Draft minutes of Investment Committee meeting, 21 February 2022; MB22-30 Summary note of Audit, Risk & Governance Committee, 17 March 2022; MB22-31 Draft minutes of English Sports Development Trust Ltd 24 February 2022; MB22-32 Draft minutes of Sports Council Trust Company 11 February 2022) with no further commentary. The Board noted that the COVID-19 Response report was now shared as a self-service dashboard via Admincontrol rather than circulated as a formal Board paper.
- 17.5 With no further items of business being raised, Andy Long thanked

participants and closed the meeting. The next formal Board meeting was scheduled for 20 June 2022, with a provisional session in members' diaries for 25 April if needed for informal or formal Board time together. The meeting was followed by a short wash-up session for members and CEO only.