

# Minutes

## Meeting Details

<b>Meeting Name</b>	<b>UKAD Board Meeting 51</b>
Date	22 February 2022
Time	11:30 – 15:00
Location	SportPark, Loughborough
Attendees	
Trevor Pearce (Chair) (TP)	Philip Bunt (PB)
Frances Akor (FA)	Nisha Dutt (ND)
Pippa Britton (PBr)	Tony Josiah (TJ)
Mark Foster (MF)	Pat Myhill (PM)
Nick Griffin (NG)	Gareth Wellings (GW) – via Teams
Nikki Phillips (NP) – via Teams	Hamish Coffey (HC) – via Teams for items five and six
Claire-Marie Roberts (CMR)	Stacey Cross (SC) – observer
Suman Ziaullah (SZ)	Lindsay Miles (LM) - minutes
Heather Sinclair – DCMS (HS)	

## Welcome & Apologies

### Presented by Trevor Pearce

#### 1. Welcome

TP welcomed attendees to SportPark and thanked PB for the relocation work.

#### 2. Declaration of Interests

In relation to item eight, NP made the Board aware that, pending selection processes, Team Wales could have a transgender athlete competing at Birmingham 2022.

#### 3. Approval of Minutes and Matters Arising

The minutes of the 9 November 2021 meeting were accepted as a true record. The open actions were reviewed and updates noted. HS confirmed that Tracey Crouch MP has completed the fan-led review of football governance and that Government is due to give its response in the coming months.

#### 4. Finance and Resources Report – BP 01 2022

The Board noted the report which had been reviewed at the recent Audit and Risk Committee meeting. GW highlighted that the budget remains on track and is likely to deliver a 2% underspend at the end of the financial year as a result of lower than anticipated staff costs and reduced travel and event spend. GW reiterated that DCMS is aware of the potential underspend and that it will not affect future budget allocation.

It was highlighted that the Birmingham 2022 sample collection contract has been awarded on a cost recovery basis. As sunk costs have been included, it was understood that there may be a small amount of net income generated if the roles of staff attending the Games are not backfilled. GW confirmed that the cost of a recent decision to reinstate Performance and Reward Pay for 2021/22, approved at the February Remuneration and HR Committee meeting, is included in the forecast presented. It was noted that a further budget review will take place which will inform the final sum awarded to employees.

#### **5. 2022/23 Budget – BP 02 2022**

The paper was noted. GW outlined that the Spending Review settlement is expected to be confirmed in early March but that he was seeking Board approval of the draft budget for directorate planning purposes. GW explained that 4% had been factored into the budget to offset anticipated inflationary pressures. It was noted that only the cost of urine sample analysis will increase in the coming financial year and that the contract in place with the Kings College laboratory affords UKAD protection from increased costs in the short term. The Education budget was queried in comparison to historical levels and GW explained that one-off costs have been removed but that he would review the baseline trend. The changes made to address the resource gap were highlighted, reduction in travel and subsistence and halving of Performance and Reward Pay for 2022/23, and it was reiterated that further, more significant changes will be required if additional funding is not received to cover the capital expenditure required for pavilion 4 in SportPark. **The Board approved the draft budget and agreed to reconvene to consider any changes required following confirmation of the settlement by DCMS.**

#### **6. Consideration of Going Concern – BP 03 2022**

**The Board approved the draft statement of going concern**, to be reviewed again once the final budget has been agreed.

HC joined the meeting

#### **7. Birmingham 2022 Update – BP 04 2022**

PM and PB updated the Board on recent discussions with B2022 regarding laboratory services. Due to the organising committee's pursuit of value for money, European laboratories are being considered. PB confirmed that the risks of this approach had been shared with the organising committee. The Board discussed UKAD's reliance on the DCC at KCL from a business continuity perspective and the analysis previously undertaken regarding overseas alternatives. **It was agreed that PB will review the DCC at KCL business continuity plan.** HC highlighted that there is little appetite from WADA to accredit another laboratory in Europe and the rates agreed with the DCC at KCL for day-to-day analysis are favourable.

It was explained that the additional cost of providing analysis services for a major event are due to the requirement for the laboratory to scale up its operation to accommodate the volume of samples and the necessary turnaround times. It was noted that the likelihood is that the DCC at KCL will be used but budget considerations led to B2022 needing to seek additional approval. The Board expressed its concern at the further delay in awarding the contract and the consequent pressure being placed on the DCC at KCL. **It was agreed that TP will write to the Minister as the Commonwealth Games delivery group is also under the DCMS remit.** HC updated the Board on the work of the task force and consequences of scaling back its activities as a result of the contract being awarded to UKAD so close to the start of the Games. *(Following the meeting, on 28 February 2022, confirmation was received that the DCC at KCL had been appointed to provide laboratory services for the Birmingham 2022 Commonwealth Games).*

NP left the meeting

#### **8. Doping Control Process – Transgender Athlete Policy Update – BP 05 2022**

HC outlined that the paper provides an update of the work to date and an indication of the likely policy. The desire to engage with transgender athletes and improve knowledge and awareness of their perspective of anti-doping was highlighted, whilst recognising that UKAD's operations are bound by various standards and rules. It was suggested that, depending on the outcome, the final policy could also be socialised with other impacted athlete groups. The Board discussed its support for a policy and approach to education which is fair, inclusive and prioritises the safety of athletes whilst acknowledging the complex and emotive nature of the subject. The broader issue of gender identity was discussed along with the importance of understanding and using correct terminology. In addition, the Board shared examples of work being undertaken by other organisations and academics and discussed GDPR and privacy considerations. **It was agreed that the Board will be kept apprised of the development of the policy.**

NP re-joined the meeting. HC left the meeting.

#### **9. Levels of Investigation – BP 06 2022**

The paper was noted. PM outlined the primary focus of the Intelligence and Investigations team and how all actionable intelligence relating to athletes is processed in a timely and thorough way. **The Board noted and agreed to the proposed procedural changes.**

#### **10. Stakeholder Engagement Update – BP 07 2022**

The various reports were noted. TJ highlighted that the level of engagement with National Governing Bodies has increased due to engagement around the Assurance Framework and the identification of Anti-Doping Leads (ADLs). In order to build upon the high levels of engagement and further UKAD's relationships with the NGBs the

**proposed engagement plan was discussed and agreed.** TJ confirmed that briefing documents and administration would be provided by the International and Stakeholder Relations team who will also consider an appropriate process for collating and evaluating the information gathered.

TJ made the Board aware that an overhaul of the stakeholder survey is planned and some improvements were suggested. Noting that the remit of the current survey is more far reaching than anti-doping, the Board requested an update on the government's sport integrity agenda. HS confirmed that discussions are ongoing, the issue is being considered in the round by DCMS and outcomes will be shared in the coming months. **PM agreed to follow up on feedback given in the survey related to potential intelligence.**

Thanks were extended to the International & Stakeholder Relations Officer for the report summarising the WADA-UKAD Relationship. TJ explained that the Directors Team will now have visibility of any staff engagement with WADA to ensure the amount of resource endowed is appropriate. The intent to collaborate with UK Sport, the BOA and the BPA when nominating candidates for the various WADA committees was welcomed.

#### **11. Review of Risk Appetite – BP 08 2022**

The Board noted the paper and the risks highlighted that exceed the agreed appetite.

#### **12. Performance Report - BP 10 2022**

PB outlined that the updates discussed at the last meeting had been incorporated into the performance report. It was noted that work is still ongoing to develop the end-to-end reporting of case management information but that the process had prompted fruitful cross-team discussions. The Board recognised the improvement in reporting and the progress made.

#### **13. Board Effectiveness Review (BER) – BP 10 2022**

The responses were noted. It was **agreed that TP and PBr will review the responses in detail and suggest follow up actions as required.** It was confirmed that the process to appoint an independent party to conduct the next review will start in advance of the June 2022 Remuneration and HR Committee.

#### **14. Report from the Innovation Commission – BP 11 2022**

FA gave an update of the most salient points from the recent Innovation Commission meeting. It was agreed that innovation will be a key focus of the June 2022 Board development day and the planned all-staff day. The Board gave its support to the idea of a Board award for innovation will enable teams to bid for funding to develop an idea or concept with no consequences if the outcome is not as anticipated. It was agreed that the HR team will further develop the idea.

**15. Report from the Audit and Risk Committee**

The draft minutes of the February 2022 meeting were noted.

**16. Report from the Remuneration and HR Committee**

The draft minutes of the February 2022 meeting were noted.

**17. Report from the Athlete Commission – BP 14 2022 / BP 14a 2022**

The minutes from the November 2021 and February 2022 meetings were noted.

**18. Interim Joint Chief Executive's Report – BP 15 2022**

The report was noted. PM updated the Board on a live case.

**19. Compliance with Corporate Governance Code – BP 16 2022**

The Board confirmed it is content with the compliance position as stated and noted the proposed potential actions.

**20. SportPark Pavilion 4 Lease Agreement – BP 17 2022**

It was noted that unconditional approval has been received from the Cabinet Office to enter into a lease for space in SportPark Pavilion 4. Subject to confirmation of the C-DEL funding, **the Board approved the execution of the lease and authorised PB and PM to sign the relevant documents on its behalf.**

**21. AOB**

TP confirmed that recruitment for two new Board members continues and that consultation with DCMS is underway to extend terms for SW and PBr until new appointments are made.

**Date of Next Meeting**

Tuesday, 17 May 2022 (Trafalgar House, Croydon)