

SPORT NORTHERN IRELAND

MINUTES

Second Meeting 2013

Minutes of Board Meeting held on Tuesday 9 April 2013 in the House of Sport, Malone Road, Belfast, BT9 5LA

PRESENT

In the Chair: B Henning

Members: D O'Connor
J D'Arcy
S McCullough
P Cummings
M Cowan
B Macaulay
J O'Neill
R Mallon
G Campbell
B Delaney

Acting Chief Executive: N Harkness

Staff in Attendance: S Ogle
J News
A Sloan
J Beggs (for paper SNI/13/22)
L Beattie
C McGinley

1 **APOLOGIES**

C Watson, DCAL

2 **DECLARATION OF INTERESTS**

The Chair asked everyone individually if they had any interest to declare.

R Mallon – declared an interest in Item 10 Boxing Investment Programme Consultation

J D'Arcy advised that he no longer represents the Northern Ireland Tenpin Bowling Federation on the Commonwealth Games Council.

3 **MINUTES**

The Minutes of the Meeting held on 5 February 2013, having been previously circulated were approved and signed following a slight amendment to:

2. Declaration of Interests – which should have read 'The Chair' rather than 'Interim Chair'.

Action1: Minutes of last meeting to be amended as above

4 **MATTERS ARISING**

4.1 Action Sheet

The Action Sheet from the previous meeting had been circulated to Members. The Acting Chief Executive advised that all points were being actioned and queried whether Members required any further information.

Members confirmed that they were content with progress on the Actions from the previous meeting.

5 **CHAIRMAN'S BUSINESS**

The Chair advised the Executive Team that he had met with the Board Members prior to the Board Meeting to provide them with an update on the recruitment process for the Chief Executive post.

The Chair also advised the Members of a small incident that occurred when he attended the soft opening of the new Aurora 50m Pool. He advised that a small party including the Minister had progressed to an area to have photographs taken and that he and the Acting CEO had been prevented from joining the group. He noted that this situation was corrected after an approach from the Sport NI Marketing Manager.

The Chair also advised that the pool is a superb facility but that he was very disappointed that Sport NI had been prevented from any branding on the project despite being responsible for roughly £14.7m of investment funding.

Members agreed that this was a lost opportunity to promote the work of Sport NI and agreed with the Chair that it is an issue that will need to be reviewed with the Department.

It was agreed that the Acting Chief Executive would keep the Board up-to-date with regard to the branding of funding Sport NI Capital projects.

Action 2: Chief Executive to keep Members up-to-date with respect to the branding of Sport NI projects

6 **EXECUTIVE TEAM REPORT**

Members received Paper SNI/13/16 the purpose of which is to update Members on key activities and actions undertaken by the Management Team since the last update.

The Acting Chief Executive highlighted sections of the report to Members.

6.1 Human Resources update

Members noted that the Sport NI full-time equivalent headcount will be achieved with appointment of the following approved recruitment exercises which will bring the headcount to 103.2.

- Chief Executive Officer (FT) – on-going
- Staff Officer Performance (FT) – to be advertised
- Staff Officer Physical Literacy (FT) – to be advertised
- Information System Assistant (PT 0.6) – to be advertised

Members noted that a copy of the Human Resources Work-plan is attached to the Paper at Appendix I.

6.2 Draft Business Plan

Members noted that the draft Business Plan had been submitted to DCAL on 20 March 2013. Correspondence had been received from DCAL with proposed amendments to the plan and that these suggestions were not material to the budgets or programmes presented to and approved by the Board. The Acting Chief Executive advised that the correspondence and amendments focused on the prominence afforded to the impact of the proposed investments on poverty, social inclusion, mental health and social need. Members noted that the Business Plan will be resubmitted to DCAL week beginning 8 April 2013 as the Acting Chief Executive and Chair had a meeting scheduled with DCAL to discuss it on 12 April 2013.

Members noted that a new Dashboard style report has been drafted to show performance against future Business Plans. This was attached at Appendix II.

6.3 Sport NI Board Workshops

The Acting Chief Executive advised that following consultation with the Chair and Members, the Board Workshop timetable is attached to this report at Appendix III. Members were asked to note dates of workshops for their diaries.

6.4 SINI Business Case

It was noted that the SINI Business Case would be carried out in-house by Sport NI's Investment Assurance Team with advice and support from UK Sport under a Service Level Agreement. DCAL are aware and content with this approach.

Members noted that the Acting Chief Executive had recently made a presentation to SINI staff advising them of this work.

6.5 Value For Money Review

Members noted that Ministerial approval to appoint consultants has been received and Sport NI has engaged with Central Procurement Division (CPD) to procure these consultants.

6.6 Safety at Sports Grounds – Recovery Plan

The Acting Chief Executive updated Members and advised that a Recovery Plan has been put in place. He further advised that the number of safety certificates issued has increased as had the number of site visits.

6.7 Equality Standard

Members noted that six funded sporting organisations have successfully attained Foundation level of the Equality Standard and that the Chair will present their awards on Wednesday 10 April 2013.

6.8 Issues Log

The Director of Sports Management Services updated Members on a number of issues on the log as follows:

6.8.1 Northern Ireland Judo Federation – Members were advised that there had been no evidence of fraud within the organisation and that a sum of unspent money has now been returned to Sport NI. The issue is now closed.

6.8.2 St Colmans College Project – The NIAO report is due in early April. Members noted that the report will be sent to DCAL to pass to SNI. It was noted that there will be several drafts and Sport NI will have time to return comments to NIAO via DCAL. It was noted that there are likely to be areas of improvement for Sport NI within the report and that work is already underway in respect of these.

6.8.3 Triathlon Ireland – Members noted that Sport NI, Internal Auditor has been trying to ascertain what the actual complaint is with regard to Triathlon Ireland. Sport NI has been having difficulty contacting and engaging with the complainant as he has been out of country.

- 6.8.4 Tollymore National Outdoor Centre Business Case – Officers advised that the draft Options report should be received by end of the month, and Members noted that these options should be tested with independent legal opinion if necessary.

7 **APPROVAL OF UPDATED GOVERNANCE POLICIES**

Members received Paper SNI/13/17 the purpose of which was to formally propose approval of a recently developed suite of Governance policies and guidance as a result of the review of Governance structures within Sport NI.

The Acting Chief Executive advised Members that they have already received and approved copies of the policies and guidance in February and that these have remained unchanged with the exception of the Scheme of Delegation. Members noted that the most significant changes to this document were highlighted on Page 11 and Page 12.

After debate Members requested the removal of one paragraph under the section titled 'other delegated decisions' and requested that the officer delegated decisions described at 4.29 be reduced from £500,000 to £250,000. Officers undertook to make these amendments.

Members advised that they are happy for officer delegation for budget virement up to £100,000 detailed at 5.6 in Appendix 4.

A Member queried whether it was necessary for all Human Resources policies to be brought to Members for approval. After discussion Members agreed that it was appropriate for Board approval of policies but confirmed that draft policies given the strategic perspective of the Board should be the subject of expert advice before coming to the Board as recommended for approval.

8 **SPORT NI'S CONTRIBUTION TO GOVERNMENT PRIORITIES**

Members received Paper SNI/13/18 the purpose of which is to provide an overview and highlight how Sport NI has made a contribution to addressing a number of Government Priorities. Members were asked to consider and note:

- Growing evidence base highlighting the value and benefits of sport
- Policy context and definitions used to inform the paper
- Contribution of Sport NI Capital and Revenue Investments in addressing current Government priorities and realising social outcome 2006-12

Members considered and noted the contents of the paper and agreed that further discussion should take place at workshop which had been arranged to discuss this issue and would take place on 21 May 2013.

Action 3: To be topic at Board Workshop at later date

9 **SPORT NI: ADDRESSING MINISTERIAL PRIORITIES**

The Acting Director of Participation and Facilities provided the Board with a presentation. Members noted that the Acting Chief Executive and Acting Director of Participation and Facilities had met and discussed this matter with DCAL.

Members noted that there is a twin track approach being suggested to deal with the investment of money in a Small Grants Programme and a Larger Capital prioritisation framework – Sub-regional Facility Strategies.

Small grants programme – Awards for Sport -would be for up to £10,000. Members noted that this programme could go live in September 2013 once a decision is made whether it should be Exchequer / Lottery. The benefits of such a programme would be that it would prioritise areas of high social need and under-represented groups and it would be accessible to low capacity groups.

Members noted that this could be a rolling programme that would remain open and would most likely be Lottery funded with no closing date. It was noted that the current approved headcount would not be sufficient to undertake this additional work.

The Larger Capital prioritisation framework – Sub-regional Facility Strategies would need community consultation and buy in from elected representatives within 11 consortia.

Members felt that the framework could present a useful way to prioritise future capital investment and ensure a strategic approach.

Members agreed that they would like to see Terms of Reference for Facility Strategy at the next meeting and that there should be a focus on addressing social need.

Members noted that Sport NI Capital budgets and staff are tied up until end of year and that additional Human Resource would be needed to manage the project.

Members agreed that both proposals offered opportunities to make an impact on the Minister's notified priorities. They agreed the following actions:

Action 4: Chair and Acting Chief Executive to discuss options with DCAL at Business Plan meeting on 12 March 2013.

Action 5: Amend Business Plan to accommodate the two proposals (subject to approval to increase headcount).

Action 6: Acting Chief Executive to write to DCAL to request increase to headcount in support these proposals.

Action 7: Terms of Reference for Facilities Strategies to include a focus on addressing social need and come back to the Board.

10 **BOXING INVESTMENT PROGRAMME CONSULTATION**

R Mallon declared an interest and left the meeting due to the potential for a complaint to the Equality Commission with regard to the programme and advised that there is a risk if the Board were to make a decision before the close of the EQIA which is due to close on 14 May 2013.

Members received Paper SNI/13/19 to provide them with an update regarding the Boxing Investment Programme in particular the outcome of the consultation on mechanisms for implementing the programme and to seek approval to proceed with the programme as set out in the Boxing Investment Programme Consultation Document.

Dr Kremer, Equality Adviser for Sport NI joined the meeting to provide Board Members with training through a presentation and discussion on equality issues including eligibility and ineligibility.

Dr Kremer's presentation covered the Fair Employment and Treatment (NI) Order 1998 and advised that Section 75 – Equality Duty – Good relations Duty have to be on all programmes.

Members noted from the Good Friday agreement that people can represent either Ireland / Britain or both.

Dr Kremer asked for the document – Promoting Fair Play in Sport to be circulated to all Members.

Action 8: Ensure Promoting Fair Play in Sport document is circulated to all Board Members

Members noted the agreed policy that there should only be one recognised governing body per sport and that there is an expectation for the Board to operate in best interest of Sport.

Members noted that Sandy Row are not affiliated to any governing body and noted that this may be influenced by some of the boxer's aspirations to affiliate on an East/West rather than on a North/South direction.

The Acting Chief Executive asked about the risks if the Board make a decision prior to the EQIA closing. Dr Kremer advised that the award process could run in parallel but noted that the Board may need to consider further corrective measures if the EQIA identified negative impacts associated with an earlier decision. He noted that such an approach is very

common and emphasised that the legislation was not intended to stop the implementation of policy in Public Bodies.

Members also noted that due to the procurement process equipment may have to be the subject of a new procurement exercise. A range of options was discussed but the Equality Advisor advised Members that if the process is changed significantly that could invalidate the EQIA which would hold up the process further.

The Chair advised the Board that DCAL has asked that he write to the Minister and advise her what has held the process up and why it is taking longer than previously thought.

Members noted the requirement to follow CPD Guidance on all procurement matters.

Members were advised by the Director of Performance Sport that a Working group of representatives from various groups, independent of governing body, had been set up to work with Sandy Row Boxing Club. It was also noted that mediation service had previously been offered to Sandy Row Boxing Club and they had refused.

The Chair proposed and Members agreed that it would be useful to clarify whether Sandy Row Boxing Club would be willing to work with Sport NI and the Sport Resolution panel.

Members agreed that, on the basis of established policy and in the interest of safety that only affiliated clubs should benefit from this investment programme. However, Members also accepted that this principle may need to be reviewed and corrective measures may be needed in the future if the EQIA identified negative impacts on any of the Section 75 protected groups.

Action 9: Officers to explore if there could be an opportunity to use the Sports Resolution Panel in relation to the Sandy Row / UBC affiliation issues.

R Mallon re-joined the meeting

11 **MANAGEMENT ACCOUNTS**

Members received Paper SNI/13/20 which provided Members with Management Accounts in respect of Exchequer and Lottery Accounts for the 11 month to 28 February 2013.

The Director of Sports Management Services advised that Lottery spend target for 31 March 2013 will not be achieved due to Awards for Sports not going ahead and, de-commitments on programmes and staff costs being reduced due to vacancies.

Members noted that the Exchequer Account is expected to balance at the year end.

The Director of Corporate Service also advised Members that there was £890,000 in the bank account at year end due to grant claims not being in on time. He advised that this has been significantly reduced post year end and that part of this had related to the timing of FINA certification of the 50m Pool in Bangor.

12 **QUARTERLY ASSURANCE STATEMENT**

Members received Paper SNI/13/21 which is the Chief Executive's Quarterly Assurance Statement this outlines the current governance structures within Sport Northern Ireland and any realised or emerging issues.

Members noted that there are 38 questions which require Yes, No or Partly responses and the Acting Chief Executive has responded yes to all but six areas. Members noted the proposed 'No' at 3.4. They noted that 91% of targets were green and therefore requested that this answer is changed to 'partly'.

A query was raised by a Member over there being some information not available and queried if this would be available prior to the report being submitted to DCAL. It was noted that this could not be fully completed as the information will not be available from grant aided projects within the required timescale.

Action 10. Change 3.4 from 'No' to 'Partly'

13 **RISK MANAGEMENT POLICY IN CAPITAL PROJECTS**

Members received Paper SNI/13/22. The purpose of the paper was to provide Members with a rationale and context for the review of SNI's Risk Management Policy in relation to legal charges and highlight specific projects that this will apply to.

The Manager of the Governance & Investment Team provided Members with a presentation to accompany the paper.

The purpose of the updated policy is to provide a framework to manage risk consistently and objectively over various Capital programmes. It was noted that the Risk Management Policy will be subject to revision following completion of the Grant Management Review which is presently being undertaken.

Members noted that the current policy is no longer 'fit for purpose' within the current economic climate and that the updated policy needs to reflect MPMNI principles and guidance on benefits realisation.

The example of Cliftonville Football Club was used to highlight the issue and the broader policy implications for the existing Risk Management Policy dated 2005.

The potential risk exposure on existing Capital projects and legal charges was highlighted to Members along with some inconsistencies on the application of legal charges to Lottery and Exchequer projects.

Proposed changes to the Policy are as follows:

- Claw-back period should reflect benefits reallocation as opposed to economic life
- Legal charges to be applied to projects over £500,000 as opposed to £250,000 (reserving the right to apply legal charges on any high risk project)
- Legal charges should be based on risk assessment of project and increased beyond 1.25 times net realisable assets.

Members noted that projects that would be immediately impacted by the policy would include:

Cliftonville Football Club
IFA (Windsor Park) investments
Ulster Council GAA (Casement Park) investments

Members felt it would be more appropriate for the claw-back period for Capital projects to be linked to benefits realisation typically on 10 years rather than 5 years. Members noted that historic write-offs for Sport NI have been very low but in more recent years clubs have been having more financial difficulties.

Members approved the proposed changes to the Risk Management policy and requested that the revised policy would be brought to June meeting for approval as a new policy. Agreement was given bring proposals on the Cliftonville Football Club matter to the meeting in June and for a cost/benefit/risk assessment for existing legal charges over Windsor Park and Casement Park to come to the meeting in August 2013.

Action 11: Proposed changes to Risk Management Policy to be brought to the June meeting

Action12: Impact of New Policy

14 **RISK REGISTER**

Members received Paper SNI/13/23 which had previously been scrutinised by the Audit and Risk Management Committee, and advises members of key risks affecting the achievement of the organisations' objectives and actions currently being undertaken and planned to mitigate against these risks.

It was noted that there have been no new risks identified since the last review of the Risk Register and all risks are in a state of control.

Members reviewed and approved the Risk Register.

15 **DEVELOPING A LONGER TERM, STRATEGIC INTERVENTIONS FOR INTERNATIONAL SPORTS EVENTS & ACTIVE SCHOOLS**

Members received Paper SNI/13/24 which asks Members to consider proposals for new programme mandates to support major international sports events and active schools.

Members noted the strategic context for investment in events and active schools.

Discussion ensued and Members advised that they felt that the programme should be for activities after the school day and should not be undertaken during the school day as they felt the costs of PE within the school day are the responsibility of the Department of Education. The Acting Director of Participation advised that the costing tables within the paper represented the full anticipated costs of achieving the Strategy for Sport targets relating to this matter and were not specific to this programme.

The Chair and Members agreed that the extension of the two programmes and how these could be taken forward should be topic for discussion within Board workshops. It was agreed that these would be scheduled into the timetable of one of workshops for Board Members discussion at a later date.

Action13. The future of the Events and Active Schools programmes to be the subject of Board Workshops in the future.

R Mallon left the meeting

G Campbell left the meeting

16 **RECOGNITION OF GOVERNING BODIES OPERATING IN NORTHERN IRELAND**

Members received Paper SNI/13/25 which asks Members to consider the de-recognition of the NI Weightlifting Association (NIWLA) as the governing body for Weightlifting and to recognise the Irish Olympic Handball Association as the governing body for Olympic Handball.

16.1 **NI Weightlifting Association (NIWLA)**

The paper reported that the NIWLA has failed to demonstrate it meets a number of recognition criteria such as governance structure, membership numbers and sporting vision and development.

Members noted that Sport NI has met with NIWLA and WAUNI to work through issues with little progress to date. Sport NI is planning to continue working with NISF, BWLA, NIWLA and WAUNI and other weightlifting bodies to support the emergence of a compliant governing body.

Members agreed to the de-recognition of the NI Weightlifting Association (NIWLA) and agreed to on-going work of Sport NI to restructure and develop the sport.

16.2

Irish Olympic Handball Association

Members noted that Olympic Handball already is recognised as sporting activity by Sports Councils in the UK and Ireland although there is no recognised body in Northern Ireland.

Members noted the recommendation is to recognise Irish Olympic Handball Association as governing body to govern the sport in Northern Ireland.

Following discussion the recognition of the Irish Olympic Handball Association as governing body of the sport in Northern Ireland was agreed by the majority of (8 for and 1 against).

17 **TERMS OF REFERENCE FOR GLASGOW 2014 PREPARATION GROUP**

Members received Paper SNI/13/26 which proposed a Terms of Reference for the Sport NI Glasgow 2014 Preparation Group and also sought nominations for two Board representatives to become Members of the Group.

Members discussed the positive work undertaken by the Delhi 2010 Group and the enhancement of relationships. The Chair undertook to give the nomination of two Members further consideration and inform Members accordingly.

18 **COMMITTEE UPDATES**

18.1 Staffing

The Chair of the Staffing Committee advised that the Committee had met on 21 March 2013.

Members noted that the HR plan which is attached to the Executive Team Report is due to be completed by April / May 2014. Members noted that it is a very extensive work plan and The Chair of Staffing Committee advised that the some of the deadlines are ambitious.

The Chair of Staffing Committee advised that they are in the process of making a decision with regard to whether the Investor in People Award should be reapplied for in 2013 or whether the other on-going work with

regard to HR plan should be considered a priority. The Board noted that the issue will be brought to the June Board meeting for discussion.

Members also noted that the Terms of Reference for the Remuneration Committee had been approved earlier in the meeting.

18.2 **Audit and Risk Management**

The Chair advised Members that at present P Cummings had agreed to be the Interim Chair of the Audit Committee.

The Interim Chair of the Audit and Risk Management Committee advised that their meeting had considered and approved the Risk Register and Quarterly Assurance Statement.

Members noted that external auditors had asked that the Audit and Risk Management Committee to formally consider the Annual Accounts before submitting them to the NIAO for Audit.

The Chair took the opportunity to thank P Turnbull for his contribution to the Board of Sport NI, and particularly for work undertaken over the last year with regard to the Governance Review.

19 **PUBLICATIONS**

There were no publications.

20 **DATE OF NEXT MEETING**

20.1 Tuesday 4 June 2013 @ 5.00 pm

20.2 2012/2013 Exchequer and Lottery Accounts

The Chair advised Members that the 2012/2013 Exchequer and Lottery Accounts need to be agreed by the Board between the 24-26 June 2013. Members noted that the draft Accounts will have been reviewed by the Audit and Risk Management Committee and therefore agreed that they are content to approve the accounts electronically rather than requiring a single item meeting to deal with these.

The Interim Chair of the Audit and Risk Management Committee advised that he was content with the approval of the Accounts in this way and advised if he felt there were any issues that Members should be made aware of he would ask for a meeting to be arranged to approve the Accounts rather than this being undertaken electronically.

Action15: Exchequer and Lottery Accounts for 2012/13 to be circulated electronically for approval by Members post the Northern Ireland Audit Office audit.

21 **ANY OTHER NOTIFIED BUSINESS**

There was no other notified business.

Signed: _____

Dated: _____

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Belfast
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