



The Council

Minutes

Tuesday 21 February 2017 at 18:00

at BPA HQ, Glen Parva, Leicester LE2 9TF

Present:	Martin Soulsby	- Chair
	Paul Applegate	
	Mark Bayada	
	Adrian Bond	- Communications Chair
	Nick Bunting	
	Brian Cumming	
	Tash Higman	
	Yassi Molazadeh (by Skype)	
	Craig Poxon	- Vice Chair & Development Chair
	Sue Stanhope	
	Brian Vacher	- Competitions Chair
In attendance:	Liz Ashley	- Editor, <i>BPA Skydive the Mag</i>
	Tony Butler	- Chief Operating Officer (COO)
	Debbie Carter	- Treasurer
	Jon Gretton (to item 10)	- Finance Manager
	Tony Knight	- Aviation Adviser
	Jeff Montgomery	- Safety & Technical Officer (STO) & STC Chair
	John Smyth MVO (to item 12)	- Vice President & IPC & RAeC Delegate
	Martin Shuttleworth	- Secretary-General (Secretary)
Observers:	5	
Apologies for absence:	Kate Charters	

Item Minute

7/17 Declarations of interest

7.1 Register of directors' interests

The Chair called attention to the register of directors' interests. The Secretary would be in touch with those directors who had yet to register theirs.

Action: Secretary

7.2 Declaration of interests for this meeting

Nick Bunting declared that he was a director of the Sport & Recreation Alliance. Any other declarations would be taken at the item at which they arose.

8/17 Meetings briefing note from the Chair

A note from the Chair had been circulated with the agenda. It said that to run timely, business-like meetings, he wished to trial a maximum time allocation of 15 minutes per item. If an item could not be transacted in that time, the discussion would normally be deferred until the next meeting. This would typically be with a call for the provision of more information and/or consultation in the meantime to enable Council to take an informed decision at its next meeting. Urgent business of sufficient import would of course be exempt from this convention.

Agreed

9/17 Minutes

9.1 Minutes of the meeting on Tuesday 29 November 2016

Paul Applegate proposed, and Adrian Bond seconded, a motion that the minutes of the meeting held on Tuesday 29 November 2016 were a true record. This carried unanimously and the Chair would sign the file copy to signify this.

Agreed

9.2 Minutes of the meeting on Saturday 28 January 2017

In response to a question from Brian Vacher, the Chair confirmed that the periods of tenure of individual Council Members set out in the Appendix to those minutes was correct.

Adrian Bond proposed, and Paul Applegate seconded, a motion that the minutes of the meeting held on Saturday 28 January 2017 were a true record. This carried, with the abstention of Tash Higman who had been absent from that meeting. The Chair would sign the file copy to signify approval.

Agreed

10/17 Matters arising

10.1 Settlement by mediation of Allan Hewitt's grievance against the BPA - minute 75.2/16

The COO was pleased to report that the grievance had been settled by mediation at Sport Resolutions. A joint statement by the parties had been published. Allan Hewitt had since been assessed as competent as a BPA Advanced Rigger and, subsequently, a BPA Rigger Examiner, and had had both ratings re-instated. The COO reported on a request from Allan Hewitt to Council which would be considered at the in camera session later in the meeting (minute 22).

10.2 Board of Inquiry Reports into sport parachuting accidents - data subject access requests - minute 82/16

This item would be taken later in the meeting under the safeguarding item (minute 15) as that also involved compliance with relevant statutory provisions on data protection.

11/17 Finance

11.1 Management accounts and membership numbers

A paper by the Finance Manager, had been circulated with the agenda. This was to month 7 of the financial year (July-June) and month 10 of the membership year (April-March).

The Chair asked for the detail of the European Parachuting Union (EPU) account to be omitted from future reports unless anything changed. The deficit had not been written off as there was a very slim chance of recovering it, so it remained on the balance sheet.

The Chair outlined how the Action Plan budget for the financial year 2017-8, starting on 1 July, would be calculated. It was based on a percentage allocation of the projected surplus for the current financial year. There was a year-on-year difference in surplus of -£100K because last year was an on year for team funding.

Nick Bunting asked that a cash flow forecast be added to future management accounts.

Action: Finance Manager

11.2 Cost of HQ refurbishment

A paper by the Finance Manager, which had been circulated with the agenda, was discussed. Excluding certain additional approved work, which had been commissioned during the contract, as itemized in the paper, the outturn had been slightly under budget at £248,962 + VAT. The Finance Manager said that, as BPA had partial exemption from VAT, it was likely that some of the VAT could be claimed back. When he knew the amount, he would report it to Council.

Action: Finance Manager

Yassi Molazadeh asked about 'delay repay' for the contract over-running. The COO said some of the over-run was because of our additional requirements. He would respond to her by e-mail.

Action: COO

11.3 Drop Zone Defence Fund (DZDF)

The Finance Manager reported that BPA had now gained access to the the approximately £16K held outside BPA's main account. This would be transferred to the BPA DZDF account within BPA's main accounts, which held £15.2K. In total, the Fund currently stood at approximately £31.2K. DZDF was now managed by the Development Committee.

Noted

11.4 Delegated authority on financial matters

Nick Bunting asked that this be clarified. He said he had already supplied staff with a suggested template.

Action: COO / Treasurer / Finance Manager

12/17 Indoor skydiving

This item was taken out of agenda order so that John Smyth could leave afterwards. The Chair outlined the background. The Competitions Chair had written a paper (circulated with the agenda) in which his Committee sought guidance from Council on the level of support (if any) for the discipline of indoor skydiving in the absence of an indoor skydiving governing body. A supplementary paper from the Secretary had also been circulated in advance, comprising correspondence between the Chair of Council and a volunteer member.

There followed a discussion, during which the Chair reminded Council that we had in place a policy on indoor skydiving as per minute 18.3.1 of the Council meeting 18 February 2016. He asked the Secretary to circulate the appendix to the minutes of the Council meeting on 19 April 2016 regarding indoor skydiving (reproduced as an appendix to these minutes). This was so the item could be further considered at the next meeting, and in the light of any output from tomorrow's BPA strategy day.

Action: Secretary / Next meeting

13/17 Report from the Royal Aero Club (RAeC)

Craig Poxon (BPA Delegate to RAeC) reported that our Council's three nominees for RAeC Awards had been successful: a Bronze Medal and two Certificates of Merit. The names of the Award Winners would be publicised once they had been informed by RAeC.

[Secretary's note: Subsequent to the meeting, the names of successful BPA nominees were announced by RAeC as: Dean Fisher, RAeC Bronze Medal; Graham Spicer and Sue Allen, each a RAeC Certificate of Merit.]

14/17 Update of BPA disciplinary procedure

The working draft update of the disciplinary procedures, as drafted by the disciplinary and grievance procedures working party with external advice, had been circulated with the agenda. The Chair outlined the background, and thanked working party member Yassi Molazadeh for kindly preparing the updated draft. Yassi Molazadeh said the working party had decided against setting out a tariff of disciplinary sanctions because each case was different. However, there was a list of decisions, on an anonymous basis, to promote consistency of disciplinary action. A number of comments were noted, and the Chair asked that any further feedback should be sent to himself and Yassi Molazadeh.

Action: All

15/17 Safeguarding

15.1 Safeguarding policy

Two draft safeguarding policies, one for children (under 18s) and the other for adults at risk, had been circulated with the agenda. A letter dated 10 February from Wright Hassall, a Sport & Recreation Alliance legal panel firm, had also been circulated.

Safeguarding had been considered by the Development Committee at its meeting earlier today. The Committee had recommended, and Council now agreed, to invite Sara Orton (who had made a presentation to the DZO SIG and had kindly agreed to be BPA Adviser on Safeguarding), to convene a working group to recommend to Council action that BPA and its Affiliated PTOs needed to take on this.

The working group would include representation from the Development Committee, STC and staff. Tash Higman volunteered to serve. NSPCC's Child Protection in Sport Unit (CPSU) and Sport & Recreation Alliance were noted as sources of advice. Council recognised that we may need to engage other external expertise, such as legal advice.

The Chair asked the Development Committee to take the lead on safeguarding and to report back in April.

Action: Development Committee

15.2 Data protection policy

The Chair said that the Development Committee was responsible for advising Council on policy on data protection. He said the Secretary was the data protection officer, although the Secretary said he was not content to be so. The letter from Wright Hassall noted that from May 2018, the General Data Protection Regulation (GDPR) would apply, with additional compliance obligations.

In their letter, Wright Hassall had quoted for consultancy work on data protection compliance, Council asked the Secretary to obtain two quotes from other providers for comparison, and

delegated selection of a contractor to the COO and Secretary. Yassi Molazadeh said the contract should be for a data protection check/audit across the organisation, including the wording on forms to be completed by those joining the Association. Nick Bunting said Payment Card Industry (PCI) compliance should be included.

Action: Secretary

16/17 Strategy

16.1 Strategy day - Wednesday 22 February

Tomorrow would be a strategy day for Council and a number of staff, together with the Aviation Adviser and the Digital Editor (the Editor was unavailable). This would be to start to formulate strategy for the next 5 years. Establishing the strategy was a necessary precursor to this year's planned review of the committee structure, as form followed function.

Noted

16.2 Alliance director training day

The Secretary reported that he was awaiting advice of dates from the Sport & Recreation Alliance. Three Council Members would be involved, subject to their availability: Mark Bayada, Adrian Bond and Sue Stanhope.

Awaiting dates from the Alliance

17/17 Annual Committee Action Plans

The Chair asked the relevant committees (Communications, Competitions and Development) to bring forward their Action Plans for the year 1 July 2017 to 30 June 2018, to the next Council meeting on Tuesday 19 April. He asked the Finance Manager kindly to provide the Secretary with the Action Plan budget to circulate with the agenda.

Action: All Committees & Finance Manager

18/17 Reports from the Committees of Council

18.1 Minutes of Committees

The minutes of each of the following meetings, except those of STC, had already been circulated, electronically approved by the Committee concerned and ratified by the Council, and published on the BPA website. The minutes of STC had been circulated in draft, for consideration for ratification tonight.

18.2 Communications Committee meeting on Tuesday 29 November 2016

There were no questions.

18.3 Development Committee meeting on Tuesday 29 November 2016

There were no questions.

18.4 Competitions Committee meeting on Tuesday 29 November 2016

There were no questions.

18.5 Safety and Training Committee meeting on Thursday 2 February 2017

Paul Applegate proposed, and Mark Bayada seconded, a motion to ratify the minutes of the above STC meeting. This carried unanimously.

Ratified

18.6 Terminology

Nick Bunting questioned whether, with reference to minutes, BPA's use of the terms 'approved' and 'ratified' was correct. The Chair asked him kindly to liaise with the Secretary outside the meeting.

Action: Nick Bunting & Secretary

19/17 Headline issues from Committee meetings held earlier today

The Communications, Development and Competitions Chairs reported on headline issues from their meetings earlier today.

20/17 Staff workload

A paper by the Secretary had been circulated with the agenda. It called attention to his work overload this winter. Council noted the arrangement that he had suggested in the paper to help to ameliorate this, to which the Chair and COO had already agreed.

Noted

21/17 Application for Re-Affiliation: Wild Geese

A completed BPA form 135 by Wild Geese, consequent on a change in ownership, had been circulated with the agenda. Staff reported no issues with this. Brian Cumming then proposed, and Mark Bayada seconded, a motion that the re-application be accepted.

Carried unanimously

22/17 Settlement by mediation of Allan Hewitt's grievance against the BPA (minute 10.1)

The meeting went in camera with only Council and staff remaining. The business of item 10.1 was concluded by Council deciding upon a request to the COO from Allan Hewitt. The COO would advise him of Council's decision

Action: COO

23/17 Panel of Inquiry

The meeting remained in camera. The Chair advised Council that he and the COO had, under the BPA disciplinary procedure, convened a Panel of Inquiry to inquire into alleged misconduct by a member whilst representing the Association.

24/17 Competitions Committee

The meeting remained in camera. The Development Chair asked the Competitions Chair for clarity about the composition of the Competitions Committee, with reference to the role of 'advisers'. The reply was that this was a transient arrangement to do with handover from last year's to this year's discipline reps.

25/17 Dates of next meetings

Tuesdays 25 April, 13 June, 8 August, 3 October and 28 November 18:00 at BPA HQ.
(Apologies for absence for the April meeting from Adrian Bond, Debbie Carter and Jon Gretton.)

The meeting ended at 21:05

Appendix

BPA and indoor skydiving: issues in seeking to align BPA's objectives with IPC's

Issue	Observations
Insurance	<ol style="list-style-type: none">1. BPA member third party public liability insurance does not apply to indoor skydiving.2. Personal accident (including repatriation), medical and travel insurance to BPA sport parachuting delegations, kindly provided gratis by Romero Sports & Leisure, does not apply to indoor skydiving. <p>British indoor skydiving delegations will therefore need to source and provide their own insurance.</p>
Under 18s	<p>A legal obligation applies to the safeguarding of minors below the age of majority (18 years). A safeguarding policy and procedure is required for minors and other vulnerable individuals. BPA does not presently have in place such a policy or procedures. The minimum age for sport parachuting is 16 years.</p>
Scope	<p>Whereas IPC is part of FAI, the World Air Sports Federation, and therefore the International Federation for our sport, it tends particularly to focus on the area of competitions (and not on others, such as governance of the sport). The involvement of IPC with indoor skydiving is purely in respect of IPC First Category Event competitions. There is no evidence that IPC has considered the constitutional and governance issues that may arise both for itself and NACs/NGBs arising from its decision to broaden its definition of skydiving to include indoor skydiving.</p> <p>Additional, pre-delegation, issues such as selection nationals may arise for an NGB. BPA does not govern indoor skydiving, control its operation, or have the technical expertise to do so; and indoor skydiving operators have shown no sign of wishing to be governed by BPA.</p>
Cost	<p>BPA receives no direct income from indoor skydiving. However, indoor skydiving is a valuable training tool particularly for competitors in sport parachuting, and indoor skydiving operators sponsor sport parachuting teams. Also, indoor skydiving is a route into sport parachuting and therefore a source of new BPA members.</p>
The future	<p>Some outside IPC believe that indoor skydiving may be likely to diverge from outdoor skydiving over the coming years. They believe that this makes it inadvisable to seek fully to integrate indoor skydiving competitions with those of other skydiving disciplines, as it may develop as its own sport with its own programme of competitions outside IPC. This leads to the suggestion that, for the purposes of business risk management, BPA involvement in indoor skydiving competitions (finance, admin, etc) should be ring fenced such that it could easily transfer to its own NGB or similar, should things develop in that way.</p>
Keeping broadly in step with sport parachuting NGBs in other nations	<p>BPA staff have liaised informally with staff at our equivalent sport parachuting NGBs in Australia, Canada, Germany and the US and found that their view of their organisations' engagement with indoor skydiving is defined broadly by the parameters set out in this paper - such that BPA is not out of step with its sister/fraternal bodies.</p>
Clarity to avoid mission creep	<p>BPA's position, and the rationale that underlies it, needs to be clearly explained. For example, an e-mail sent to the BPA Office on 7 April from an insurance company asked:</p> <p><i>"Could you please confirm whether there are any exclusions under your Members Public Liability insurance policy 1000042513-08 with Liberty Mutual in respect of indoor skydiving activities? We have a charity client and they are under the impression that the BPA scheme does not extend to include indoor skydiving activities. They are particularly concerned regarding the exclusion relating to wind tunnels."</i></p>

Tony Butler, Chief Operating Officer
Martin Shuttleworth, Secretary-General
13 April 2016