



The Council

Minutes

Tuesday 3 October 2017 at 18:10

at BPA HQ, Glen Parva, Leicester LE2 9TF

Present:	Martin Soulsby	- Chair & Alternate Delegate to RAeC
	Paul Applegate	- Chair, Riggers' Subcommittee of STC
	Mark Bayada	
	Adrian Bond	- Communications Chair
	Nick Bunting	
	Brian Cumming	
	Tash Higman	- (by Skype, from mid-item 78)
	Yassi Molazadeh	
	Craig Poxon	- Vice Chair, Development Chair & Delegate to RAeC
	Sue Stanhope	- (to item 86.2.1)
	Brian Vacher	- Competitions Chair
In attendance:	Liz Ashley	- Editor, BPA Skydive the Mag (from mid item 78)
	Tony Butler	- Chief Operating Officer (COO)
	Debbie Carter	- Treasurer (to item 76)
	Jon Gretton	- Finance Manager (to item 76)
	John Hitchen	- Vice President
	Jeff Montgomery	- Safety & Technical Officer (STO) & STC Chair
	Martin Shuttleworth	- Secretary-General (Secretary)
Apology for absence:	John Lines	- Vice President & Chair of the Panel of Inquiry (item 80)
	John Smyth MVO	- Vice President and Delegate to IPC
Observers:	3 signed in	

Item Minute

73/17 Minutes of the meeting on Tuesday 8 August 2017

The minutes had been approved electronically and published at bpa.org.uk/member/agendas-and-minutes/

Council ratified the approval and the Chair signed the master copy as a correct record.

Approved

74/17 Declarations of interest

These would be taken as they arose.

75/17 Matters arising

75.1 Safeguarding - minute 60.2

The Secretary reported that, following clarification of a legal question, the Safeguarding Working Party, which reported to STC and the Development Committee, had met again in September and finalised its consultation with Affiliated PTOs that would be issued shortly. He and the COO summarised the main points in the consultation. A copy of the consultation letter, which included an action plan and draft safeguarding policy for the sport, had been circulated to Council as a supporting paper to the agenda for this afternoon's meeting of the Development Committee.

Noted

75.2 Data protection audit - minute 60.3

The Secretary reported that the consultancy ClearComm, part of the Kingston Smith Chartered Accountants Group, had been contracted to provide GDPR consultancy, training and audit services to BPA.

Noted

75.3 Code of Conduct for all Volunteers - minute 60.5

Most volunteers had now signed and returned the declaration to abide by the Code. One examiner had declined. Some volunteers had asked questions about the Code. Yassi Molazadeh said she would prepare a list of FAQs.

Action: Yassi Molazadeh

75.4 Company payment card for authorised staff - minute 61.2

The Finance Manager reported that payment cards were now in place.

75.5 Judges' laptops - minute 64

This was taken under item 81.

75.6 Residency requirement to compete for GBR (Sporting Licence applicants) - minute 65

The Chair reported that there had been no recent developments in relation to the case reported to the previous meeting. The Chair asked that a documented procedure be set out for processing sporting licence applications.

Action: COO and Competitions Chair

76/17 Finance

76.1 Audited Annual Report & Accounts 1 July 2016 to 30 June 2017

The audited annual report and accounts had been circulated with the agenda. The outturn was a surplus of £296K (2016: £262K). This included an unrealised gain of £113K in the value of investments, stated according to new tax and accounting standards, under which 20% tax was payable on unrealised gains.

COUNCIL APPROVED the increase of £500 in the audit fee.

COUNCIL APPROVED the draft Annual Report and Audited Accounts 2016-7 for publication to the membership as an insert to BPA Skydive the Mag in December 2017, for consideration for adoption by the AGM on Saturday 27 January 2018.

Council unanimously approved the Annual Report and Audited Accounts 2016/17

Proposed by Yassi Molazadeh, seconded by Adrian Bond, carried unanimously.

76.2 Management accounts and membership numbers

A report by the Finance Manager had been circulated with the agenda and was received by Council. The report was to month two of the financial year (July-June) and month five of the membership year (April-March).

The Chair noted a downward year-on-year trend in membership numbers: full conversion -5%, full renewal -3%, temporary -2% and student provisional -5%. Weather was always a factor, sometimes a significant one, in year-on-year variance. There had been a number of anecdotal reports from Affiliated PTOs of disruptive weather this summer that might, at least in part, account for this trend.

76.3 Third party public liability insurance of jumpers belonging to national skydiving associations beyond the EU

Council noted that the Operations Manual provided for members of FAI recognised parachute associations within the EU to be eligible to skydive on their own association's insurance cover, subject to such cover meeting the minimum indemnity level as set out in the BPA Operations Manual, where such cover does not meet the minimum level they will be required to join the BPA to jump at BPA Affiliated PTOs.

Council referred the matter of whether members of other FAI associations are eligible to jump at BPA Affiliated PTOs on their insurance cover to the Development Committee.

Refer to the Development Committee

The current levels of indemnity cover for members of the BPA and visitors from other FAI recognised associations should be reviewed as part of the annual review of insurance cover.

Action COO

A paper had been circulated with the agenda. Appropriate insurance, with a minimum indemnity limit as set out in the BPA Operations Manual, was accepted for jumping at BPA Affiliated PTOs, as an alternative to the insurance cover that came with joining the BPA, from jumpers belonging to national skydiving associations in other EU member states. This meant that eligible jumpers could jump on their own countries' insurance, and therefore had no need to join the BPA. The question had been raised whether or not this also applied to jumpers from Switzerland and Norway, which were not EU member states. The Chair suggested, and Council agreed, that this should be referred to the Development Committee. The Development Chair reported that it had already been discussed at the Committee's meeting this afternoon, and that the COO would further discuss the matter at his annual review meeting with the broker which would take place next month.

Action: Development Committee / COO

77/17 Nominations Committee

The Nominations Committee had met on Wednesday 20 September. It had agreed to nominate Sue Stanhope to the AGM for appointment to the independent seat on Council that was available for a three year tenure from the AGM 2018.

Noted

78/17 Composition of the Communications, Competitions & Development Committees

A paper by the secretary had been circulated with the agenda.

COUNCIL UNANIMOUSLY AGREED that:

with regard to the constitution of the committees:

1. the Chair and Vice Chair of these Committees would be Council Members;
2. a third Council Member would, wherever possible, be a member of each of these Committees;
3. no more than 6 members of Council may comprise the voting members of a Committee, and never more than 50% of Council;
4. the committees would have a two-stage a quorum of (i) a minimum of 2 Council Members including the Chair or Vice Chair and (ii) at least 51% of voting members

Proposed by Yassi Molazadeh, seconded by Brian Vacher, carried unanimously.

and, with regard to the annual composition of the committees:

5. the committees would continue to be constituted annually, from one AGM to the next;
6. each December, the Secretary would issue a call to the membership for volunteers to serve on the committees, with a deadline for applications before the AGM, and applications to be based on the match of the member's skills and competences to the terms of reference / areas of work of the committee on which they had expressed an interest in serving;
7. existing committee volunteers would be eligible to volunteer again for the next committee year, and would do so, if they so wished, by responding to the call for volunteers for the next committee year;
8. the 3 Council Members on each committee would consider applications received from volunteer members for service on their committee and present to the February meeting of Council a list of all volunteers, including those whom they had invited to serve and those they had not invited to serve.

Proposed by Nick Bunting, seconded by Brian Vacher, carried unanimously.

79/17 Strategy

Nick Bunting (Chair, Strategy Group) gave an oral report. The Strategy Group had met last Friday, 29 September. A paper would be circulated with the agenda of the next Council meeting in November.

Council sat in camera for items 80-83 inclusive

80/17 Panel of Inquiry

Nick Bunting and Sue Stanhope declared an interest as Panel Members and would be non-voting on this item.

COUNCIL RECEIVED the Panel of Inquiry's Report with thanks to the Chair of the Panel, John Lines, and Panel Members Nick Bunting and Sue Stanhope.

The Report of the Panel of Inquiry into allegations of conduct that had brought the BPA into disrepute, both nationally and internationally, by Kate Charters, former BPA Judges' Co-ordinator, had found all five of the allegations to be proven. The Panel had recommended that

BPA withdraw from Kate Charters all official BPA posts and qualifications for a period of not less than 4 years. Council noted this recommendation, considered it to be proportionate, and saw no reason to escalate the procedure to a disciplinary tribunal.

The Panel had made several other recommendations about BPA processes and procedures, which Council referred to (i) the Competitions Committee (recommendations involving judges' training and qualification, and the role of the judges' co-ordinator), (ii) COO, Treasurer and Finance Manager (recommendation on payment of expenses); and (iii) Council's grievance and disciplinary procedure working party (recommendations on grievance procedure).

Kate Charters (respondent) and the two complainants whose allegations had triggered the Panel of Inquiry, which had been convened in February 2017, had been provided with the Panel's Report.

During the period of the Panel's inquiry, two further allegations of inappropriate conduct by Kate Charters in her role as BPA Judges' Co-ordinator had been received, some time after the Panel had been convened, from other members who were competition judges. These additional complaints were outside the original terms of reference of the Panel. The Panel determined that to inquire into these further allegations would not affect the investigation into the original complaints and reach a determination on these allegations, consequently it had not proceeded with an investigation into the additional complaints received.

The two members who had made the additional complaints that had been referred to, but not considered by, the Panel, would be supplied with a résumé of the Panel's Report set out at the Appendix to these minutes.

COUNCIL UNANIMOUSLY AGREED to the publication of the résumé

Brian Vacher proposed, and Paul Applegate seconded.

Brian Vacher proposed, and Paul Applegate seconded, publication of the résumé, which carried unanimously. Nick Bunting and Sue Stanhope (Panel Members) had no vote.)

81/17 Judges' laptops

A separate matter concerning Kate Charters, former BPA Judges' Co-ordinator, was her failure to return two BPA laptop computers and a hard drive, which the Competitions Committee had purchased for the use of BPA judges. The Council had suspended Kate Charters' BPA membership under Article 6, for failure to pay monies owed to BPA, being £1,854.66, the replacement value of the equipment including a £105 court fee; and BPA had secured a County Court Judgment (CCJ) against her.

Council considered the costs of enforcing the CCJ through bailiffs or other means and by a vote of 7-3 decided not to do so.

COUNCIL RESOLVED that Kate Charters' BPA membership would remain suspended unless and until she repaid in full the money she owed to BPA for the missing laptop computers & hard drive.

Action: COO

82/17 Commercial matter

A paper relating to this had been issued with the agenda of the June meeting (item 52 refers) and a further paper had been circulated with the agenda of today's meeting.

COUNCIL AGREED not to pursue this matter.

83/17 Conduct of a BPA volunteer on social media

Mark Bayada called Council's attention to abusive personal comments about members of a BPA working party that had been published on social media. He was concerned that such behaviour may reduce the willingness of members to volunteer for service on BPA working parties in the future.

The meeting resumed in open session

84/17 Report from the Royal Aero Club (RAeC)

The Chair, in his capacity as BPA Alternate Delegate to the Royal Aero Club, had circulated his report with the agenda. It was taken as read.

The Chair reminded Council Members of the call for nominations for FAI and Royal Aero Club Awards, the latter which needed to be decided at the next meeting in order to meet this year's nominations deadline. He also called for nominations for the BPA Jim Crocker Trophy for

Outstanding Contribution to the Sport, and the BPA Taz Caser Experienced Skydiver of the Year 2017 Award.

Noted

85/17 Reports from Committees

85.1 Minutes of Committees

The minutes of each of the following meetings, except those of STC, had already been circulated and approved by the Committee concerned at its meeting this afternoon, but had yet to be ratified by Council. The minutes of STC had been circulated in draft, pending approval by STC at its next meeting.

85.1.1 Communications Committee meeting on Tuesday 8 August 2017

COUNCIL RATIFIED the minutes.

Ratified

85.1.2 Development Committee meeting on Tuesday 8 August 2017

COUNCIL RATIFIED the minutes.

Ratified

85.1.3 Competitions Committee meeting on Tuesday 8 August 2017

COUNCIL RATIFIED the minutes.

Ratified

85.1.4 Safety and Training Committee meeting on Thursday 21 September 2017

COUNCIL RATIFIED (i) the decisions in the above STC minutes; (ii) STC's updated terms of reference. ((i) Proposed by Adrian Bond, Seconded by Paul Applegate, carried unanimously; (ii) Proposed by Paul Applegate, seconded by Yassi Molazadeh, carried unanimously.)

Ratified

85.2 Oral reports on Committee meetings held this afternoon

Adrian Bond (Communications Chair), Craig Poxon (Development Chair) and Brian Vacher (Competitions Chair) each reported on the meeting of their Committee held this afternoon.

The business of each meeting is recorded in the minutes of that meeting and only policy matters of concern to Council are covered here.

85.2.1 Branding and identity

COUNCIL UNANIMOUSLY AGREED to a recommendation of the Communications Committee, based on market research, to plan to adopt the trading name 'British Skydiving' for certain BPA activities to achieve better brand recognition for our sport and our Association. This would not alter the registered name of British Parachute Association Ltd. (Proposed by Adrian Bond, seconded by Nick Bunting, and carried unanimously.)

Options will be commissioned for a new logo and associated branding, for Council to consider at its next meeting in November, within the context of the proposed strategic plan, enabling members to preview and give feedback at the AGM. This would not affect the registered name of British Parachute Association Ltd.

85.2.2 Nationals

Brian Vacher (Competitions Chair) reported that:

(i) based on a year-on-year decline from 70 to 40 teams in FS 4-way this year, and feedback from competitors on the current format of the meet, the Competitions Committee had decided to run next year's FS 4-way and VFS 4-way Nationals as stand-alone 4-day weekends rather than the current 6-day events (two 3-day weekends). Nationals in other disciplines including FS 8-way would move to a 2-day weekend to make all disciplines uniform. The intention was better to ensure that the 4-way FS/VFS meets could be completed without recourse to a reserve weekend, which many competitors had found to be inconvenient. It was because of the higher number of teams that 4-way FS/VFS needed a different arrangement from other disciplines, and there was no need for the Nationals in other disciplines to be as long. Another benefit of the new arrangements would be to encourage more Drop Zones to bid to host competitions in more disciplines. To this end, the Committee would be re-issuing FS/VFS Nationals bid forms for 2018 in the light of the new format it had today agreed.

(ii) the Committee had decided no longer to continue with Speed 8 as a BPA National Championships, as it was not an FAI discipline. The Committee had borne in mind that available funding had to be stretched to cover all FAI disciplines. Affiliated PTOs would of course be free to organise their own Speed 8 competitions and would no longer have to rely on BPA to supply judges.

Noted

85.2.3 BPA sponsorship (competitor funding)

Brian Vacher (Competitions Chair) reported that the Competitions Committee had developed new arrangements for the allocation of sponsorship (BPA funding) to eligible competitors/teams. The old and new funding criteria had been circulated to the Committee and Council in advance of today's meetings. He said that decisions on funding, and validation of the new funding allocation model, would be matters for the next meeting of the Committee in November.

Noted

86/17 Staff Christmas lunch

Council noted that this is a matter for the COO and is not a policy matter for Council to consider.

Refer COO

87/17 Date of next meeting

Tuesday 28 November at 18:00 at BPA HQ.

The meeting ended at 21:38 (duration: 3h:28)

Appendix: Résumé of the Report of the Panel of Inquiry into the conduct of Kate Charters, former BPA Judges' Co-ordinator

Résumé of the Report of the Panel of Inquiry into the conduct of Kate Charters, former BPA Judges' Co-ordinator

Composition and terms of reference

Membership of the Panel comprised John Lines (a BPA Vice President) as Panel Chair, Nick Bunting and Sue Stanhope, BPA's independent Council Members. The Report of the Panel is dated 15 September 2017.

The Panel's terms of reference were to inquire into five heads of complaint alleged, between them, by two complainants, both of whom held volunteer representative roles in BPA. The allegations were of conduct not in line with the official position of the BPA Judges' Co-ordinator; and that these actions may have brought the BPA into disrepute. If proven, such conduct would be prejudicial to the Association within the UK and at the International Parachuting Commission (IPC) of the Federation Aéronautique Internationale (FAI), the World Air Sports Federation, as per principle 1.4 of the BPA Disciplinary Procedure (BPA Form 256, issue 4, October 2013).

Recommendations:

1 On the role of BPA judges' Co-ordinator:

- (a) That Council produces a role description for the Judge's Co-ordinator.
- (b) The COO acts as the Line Manager of the Judge's Co-ordinator.
- (c) Consideration is given to appointing an employee to the role of Judge's Co-ordinator.
- (d) That the decision to nominate persons as BPA or IPC Judges is taken by a group, of no less than three, appropriately qualified persons.

2 On the BPA Grievance Procedure:

That a combined disciplinary and grievance procedure should be produced, adopted by Council and published on the BPA's website.

3 On the BPA system for awarding judging qualifications:

That Council produces the required competences for Judges, publishes them to all judges and aspiring judges, documentation is produced to record the annual appraisal of judges against such competences.

4 On payment of expenses by BPA:

- (a) That a volunteer expenses policy is produced and published.
- (b) That expenses are paid only to the person incurring legitimate expenses.

5 On Kate Charters, former BPA Judges' Co-ordinator:

The Panel upheld all five heads of complaint of inappropriate conduct against Kate Charters, the former Judges' Co-ordinator, and found them to be proven. The Panel believes that the inappropriate conduct, in support of the individual's own personal agenda, has reflected badly on the BPA and its reputation. The Panel recommended that BPA withdraw from the individual all official BPA posts and qualifications, for a period of not less than 4 years.